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BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY.
TOWN HALL, BOMBAY.

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SELECTIONS FROM THE RECORDS OF THE BOMBAY GOVERNMENT.

No. XXX.—New Series.

I.

CORRESPONDENCE

EXHIBITING THE NATURE AND USE OF

THE POONA DUFTUR,

AND THE MEASURES ADOPTED FOR ITS PRESERVATION AND ARRANGEMENT SINCE THE INTRODUCTION OF BRITISH RULE.

II.

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A SELECTION OF PAPERS

EXPLANATORY OF THE ORIGIN OF

THE INAM COMMISSION,

AND OF ITS PROGRESS, FROM ITS EXPERIMENTAL ORGANISATION IN A. D. 1843 IN ONE DISTRICT OF THE DHARWAR COLLECTORATE, UNTIL EXTENDED TO THE WHOLE OF THE SOUTHERN MURATHA COUNTRY, THE DECCAN, AND KHANDEISH, AND CONSTITUTED A JUDICIAL TRIBUNAL BY ACT XI. OF 1852.

COMPRISING, ALSO,

CORRESPONDENCE RELATING TO ALIENATED LAND REVENUE GENERALLY THROUGHOUT THE BOMBAY PRESIDENCY.

Bombay:
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1856.

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LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

THE POONA DUFTUR.

THE Hoozoor Duftur is the record of the transactions of Government, as registered by the Government officers. In it were kept all accounts of the receipt and expenditure of the revenues of the State, whether the realizations from the provinces or from whatever source; the expense of troops, establishments, Inams, and every species of grant, gift, and money transaction, whatever; excepting only the private affairs of the prince, or such accounts as it suited not the interest of individuals in power to leave on record.

The Duftur was kept very complete till the time of Bajee Rao, whose arbitrary and capricious Government found little advantage in keeping a correct record of its proceedings; and besides, in the farming system which he adopted, the advantage of registering the acts of the revenue servants of Government was in a great measure lost, as it existed under former Peshwas. It was a very extensive establishment, consisting of about 200 Karkoons, and divided into several departments, for the various branches of business: the whole was under the Hoozoor Furnavees, and was generally distinguished into Chalté Duftur, and Ek Berij Duftur, besides the Potnuvees Duftur, treasury, and other departments, not immediately connected with revenue accounts.

The establishment of the Chalté Duftur was always the Furnavees, for the transaction of current business; that of the Ek Berij Duftur was always at Poona, it being more particularly for the arrangement, registry, and deposit of accounts.

The business of the Chalté Duftur was distributed amongst the different branches, as the Fur, Behera, Surinjam, &c.

The Fur was the immediate office of the Furnavees, from whence were issued all grants, Sunuds, and orders; and to which were rendered all accounts required for the information of the Furnavees from the other departments. Here all accounts were examined and passed by the Furnavees; and day-books or journals (Rozkirds) were kept of all transactions that occurred,—of all sums paid or received; of all grants or appointments made or resumed.

The Behera department received the accounts from the districts, which were made up into official forms, for the inspection of the Furnavees, as Tallebunds, Azmaish, Behera, &c. The Tallebund was a complete abstract of the actual receipt and expenditure of the revenues for the past year: from it was framed

the Azmaish, or estimate for the next, or current year. This was a rough estimate compared with the Behera, which was a corrected statement of all known receipts, and of all fixed authorised expenditure, and formed the basis of collection for the current year.

The Surinjam department was charged with the accounts of all Surinjams, Inams, &c.; in short all Doomalla whatever.

Besides these, were the departments of accounts generally (Aisal), of military expenses and contributions (Waree), and such like. These arrangements, however, varied with the pleasure of the Furnavees, or the business that might occur.

In the Ek Berij Duftur at Poona were received, arranged, and deposited, all accounts from the other departments, and from them were framed abstracts of the total receipts, expenditures, and balances of Government, on all accounts, for the year (called Turjuma), also Khutawnees, which are abstracts of all kinds of expenditure, arranged alphabetically under their proper heads, in the manner of a ledger; and, in short, the whole of the revenue and financial transactions of the State were registered and arranged, and their accounts deposited in this office.

The general contents of the Duftur under the Peshwas may be described as follows; viz. all accounts rendered to the Government of the revenue and expenditure of the districts, with the settlements of them by Government; the accounts of districts rendered by the hereditary district officers; and those of villages by the village officers of farms, of customs, &c.; accounts of all alienations of the public revenue, whether Surinjam, Inam, or otherwise; of the pay, rights, and privileges of the Government and village officers; accounts of the strength and pay of troops, and the expenses of all civil, military, and religious establishments. In the Rozkirds were registers of all revenue transactions generally, together with all grants and payments, and more particularly the accounts of all contributions and exactions levied on foreign States; the whole of which were considered and exhibited in one comprehensive view in the Turjumas. The records, however, were probably not complete to the extent described. It is said that Nana Furnavees introduced the greatest improvements into the Duftur, as he did in the transactions of accounts in general; and during his administration, viz. from about 1765 (with the exception of a few years) up to 1796, it was kept with much regularity. From the accession of Bajee Rao, the regular receipts and deposit of accounts in the Duftur was not only much neglected, but its establishment was almost entirely done away, and people were even permitted to carry away the records, or to do with them what they pleased. The Duftur was in consequence much mutilated, and thrown into great confusion.

After the occupation of Poona in November 1817, the records were found in different places, in a state of the utmost disorder; but, considering all circumstances, tolerably complete for a period of eighty-eight years; that is from 1130 (ai) A. D. 1729 inclusive, up to the breaking out of the war, with the

exception of a blank of about seven years, viz. from 1157 (1757 A. D.) to 1163 (1763 A. D.) inclusive, of which most of the records were burnt when Poona was taken by Moguls ; for the twenty-seven years preceeding this blank, the Duftur is moderately perfect, and for the thirty-two succeeding years, up to 1179 (1796 A. D.), the accession of Bajee Rao, the records are nearly complete, particularly from 1774, when Nana Furnavees came into full power; but during the reign of Bajee Rao, the last twenty-one years, they are by no means full.

It is doubtful how far the accounts in the Duftur may be depended upon, as true and candid statements ; it is probable that they were often manufactured to answer the purpose of individuals: a very remarkable degree, however, of consistency and relative accuracy is to be found in the accounts, for many years, such as must have required no small industry to effect, and the more ability if the statements are actually false.

Since the foundation of the Duftur establishment, under the Commission, the Duftur has been completely examined and arranged into separate districts, and mostly also into Purgunas, and its arrangement by years also is in considerable progress. Full and complete statements of all allowances, as Surinjam (Fouz and Zat), Tynat, and such like, have been made out, and also lists of all Inams, Dewusthans, and Suwusthans, Dhurmadaws, Kitta, Wurshasuns, Nemnooks, Rozeenadars, Khyrats, allowances to Peers and Fakeers and Mosques, Balpurwurshee, Maaf, Bukshish, Dehengee, Mezwanee, garden and Sunudee lands, Wutun lands of Zemindars and for the Deccan, Carnatic, and Khandeish, and the Peshwa's provinces in the Nizam's Country, which have also been translated, and forwarded in Murathee and English to the Collectors. Similar lists of the Konkun and Guzerat are in progress; the Dufturs of the Konkun for the last ten years have been sent to Bombay. Abstracts of the produce, deductions, and net revenue of the whole country during the last year of Bajee Rao have been framed by districts, Purgunas, and Mahals, and in more than half the country by separate villages. For the purpose of authenticating the above lists, each item has been compared with the accounts of the two different periods, viz. the latest in the Duftur, from whence it was taken, and another of from fifteen to twenty years preceding; and very often three or four different periods of accounts have been compared. The accurate correspondence which has been observed among them is very remarkable. In many cases, the particular dates and circumstances of the original grants have been examined, and with a view to the final and ready adjustment of any disputed title, and to ensure immediate reference, an extract has been made from the Duftur, particularly the Rozkirds, of the date and authority of all grants whatever, and of all forfeitures or restorations of grants, from the beginning of the Duftur to the year 1776, and is now in progress towards the present time. It is arranged alphabetically by the names of grantees, like Native Khutawnee, containing, under each the date, circumstances and particulars of all Sunuds, grants, or allowances, that were made, resumed, or restored by Government. This has been a work of much labour,

but, when finished, will form a table of authentic reference, by which any question or doubt, which may at a future time arise, can at once be settled.

Besides the records immediately connected with revenue, from which much matter still remains to be extracted, the Duftur contains many materials of curious general information. Thus, the series of accounts of the districts and villages afford a view of the comparative state of cultivation and improvement, and assessment of the country at different times. Those of the armies and establishments, and particularly the Rozkirds, show the progress of the Muratha conquests and dominion, and the most important acts and events of their Government; and the Turjumas furnish complete statements of their general wealth and resources.

Poona, 15th September 1819. (Signed) J. MACLEOD.

No. 94 OF 1826.

POLITICAL DEPARTMENT.

To W. NEWNHAM, Esq.,
Chief Secretary to Government, Bombay.

SIR,—I do myself the honour to submit, for the consideration of Government, a Memorandum respecting the Poona Duftur.

I have the honour to be, &c.

(Signed) W. CHAPLIN,
Commissioner in the Deccan.

Commissioner's Office, Bombay, 9th May 1826.

Memorandum respecting the Poona Duftur, by Mr. Chaplin.

The utility and value of the Duftur of the Peshwa, for reference on a great variety of subjects connected with the territory of the Bombay Government, render it necessary to consider on what footing it shall hereafter be maintained, on the abolition of the Commissioner's Office in the Deccan. These records are now well arranged, and little difficulty is experienced in finding whatever documents are lodged in them. It is of much importance that they should continue to be kept entire, and that the Native Dufturdar in the immediate charge of them should be a person of integrity, with an establishment under him of an efficient description. Adverting, however, to the heavy responsibility of the charge, and to the facility with which it might be abused, if not

closely superintended, I consider it of equal importance that a gentleman of the Civil Service should be placed at the head of it, on a respectable salary, which ought not, I think, to be less than that of a Sub-Collector, or Rs. 1,400 per mensem. The duties which will devolve on the Native officers of the Duftur establishment will be detailed in the sequel. In addition to what will fall to the share of the gentleman superintending it, he might, if it were deemed expedient, be appointed a Sub-Secretary to Government, and be charged with that part of the correspondence which relates more particularly to the Deccan, and which, when the Commission ceases, will entail a great addition of business in the Secretariat Department.

The duties of the Native Dufturdar might, if it were considered desirable, be more or less extended to all the Collectorates of the Presidency, besides those of the Deccan. Dufturdars, or, as they are perhaps more properly called, Surishtadars, are thus employed at Madras, under the orders of the Board of Revenue, and are found a very useful and excellent check upon the Native servants in the fiscal department in the districts.

As there is no Board of Revenue at Bombay, the duties of such a Native Kutcheree might be discharged under the immediate orders of Government, through such channel as might be thought most appropriate.

The province of the Head Surishtadar would be to inspect the Jummabundee statements, accounts of the *survey measurement* and the *assessment* proposed *to be fixed* on the *fields*, the demand, collection, balance, and other statements received from each district, and submit such remarks and suggestions as might occur to him, to the Superintendent of the Duftur, for the information of Government; or he might be called on to read over such statements, if required, to the Honorable the Governor, or any of the Members of the Council Board.

The Naib or Deputy should review the whole of the accounts furnished by each district, and notice all such points as may be therein liable to objection, to the Head Surishtadar.

The Goomashtas should prepare a corresponding copy in Murathee of the English abstract statements submitted monthly to Government, transcribe accounts according to forms given to them by the Head Surishtadar, keep a register of all accounts received, and lodge them in the records.

Besides his general duties, the Surishtadar, with a part of his establishment, might accompany the Superintendent of the Records, who might attend the Governor when making tours of inspection in the districts.

It would be the duty of the Head Surishtadar to explain, when required, the annual accounts that are received from each Collectorate, of the villages or Umuls held in Jageer, and the particular causes of increase and decrease that may have occurred.

To examine, when required, the accounts of the late Government, with a view to ascertain any disputed points relative to the Jageers of the Putwurdhuns and others, the partition of them amongst heirs, &c., and to prepare any Sunuds for such persons that yet remain to be issued.

To prepare all Sunuds for the petty Inamdars and Jageerdars when necessary, also Sunuds for pensions and Nemnooks, according to former usage in the Duftur, when such allowances may be sanctioned to descendants on the death of present incumbents. To perform the same duty in respect to Inams, Dewusthan allowances, &c., which can only be accurately done after reference to the records.

To procure, when requisite, information from the same archives, relative to the possessions in our territory belonging to Sindia, Holkar, the Rajas of Berar and Sattara, the Suwusthans formerly held in Hindoostan, as well as those of Angria, the Siddee Chief of Dunda Rajpooree, the Gaekwar, treaties of the former Government, &c. &c.

To ascertain any data required relative to the Chouth assignments to the Peshwa by the Nizam, now restored to the latter, but charged with certain payments to individuals, confirmed by our Government, but which are often interrupted by the Nizam's officers, and form, in consequence, a subject of frequent complaint, requiring reference to the Duftur, and eventually to the Resident at Hyderabad.

To furnish, under special orders in each case of application by individuals, copies of proofs and Sunuds of possession, which are only to be found in the Duftur.*

There are, besides, various other subjects of reference to the Duftur connected with the proceedings of the late Government, which impose a heavy duty on the Dufturdar's establishment.

Such are the more prominent functions to be performed by the Surishtadar and his establishment. They are evidently much heavier, and of a more responsible nature, than those of the Surishtadar at Madras. They will also be more difficult, because in the Deccan (if not elsewhere on this side of India) the Native functionaries, and perhaps the European, are unused to the more regular and methodical forms of revenue business long since observed in the Madras provinces, and by means of which alone the Government can be thoroughly informed of the state of distant districts.

I have omitted to state that at present complaints of all sorts come in from the districts. Many of the complainants have their petitions endorsed, referring them to the Collectors, to whom they have not before applied; others that, having been referred, remain unsettled, and require further investigation in the Duftur previously to passing a decision or calling for a further report on them from the Collectors. These investigations furnish much employment for the Head Surishtadar, who reports the result of his inquiries to the Commissioner. They are a great check on the diligence and accuracy of the inquiries not only of the Collector's Native servants, but of the Collector himself, and they have often led to a correction of erroneous decisions. Such inquiries into complaints, it is presumed, will still be necessary, and they might be conducted through the

* This is a daily subject of reference, and a fee might with propriety be levied from such applicants, for the trouble thus imposed on the public officers for their private benefit.

agency of the gentleman superintending the Duftur, who might report the result direct for the decision of Government. It may, however, be apprehended that this check will lose somewhat of its force and efficiency on the abolition of the Commission, if the Duftur be removed to Bombay, where, owing to the distance, the access of complainants must be so much more difficult than when the Commission was at Poona.

Mr. John Warden, my present Head Assistant, is now so conversant with the affairs of the Duftur, and with revenue business in general, and possesses so much ability, assiduity, conciliatory temper, and knowledge of the Native languages and customs, besides an acquaintance with all that has passed for some years in the Commissioner's Office, that he seems peculiarly fitted for its superintendence, and I cannot too strongly recommend him to the notice of Government.

If an Assistant in it be for any time wanted, as will probably be the case till Mr. Steele can be more suitably provided for, that gentleman's talents, industry, and other qualifications render him eminently suited for the situation.

The present Surishtadar or Dufturdar, Keshorow, is perfectly qualified, in my opinion, for that office, and ought to be confirmed in it. He is practically versed in all revenue subjects, from having risen to his present situation after passing with great credit through every grade of the Revenue Department under the best Native masters of Sir T. Munro's school, in which, from being originally a Goomashta or Karkoon, he was successively promoted to the offices of Talooka Surishtadar, Mamlutdar, Hoozoor Cash-keeper, Hoozoor Secretary, and lastly Dufturdar, the highest post to which a Native can aspire in our Service.

The annexed is about the scale for the Dufturdar's establishment, which I should consider necessary :—

	Monthly.	Annually.
Chief Native Dufturdar	Rs. 800	9,600
Naib or Deputy	200	2,400
Two Goomashtas at Rs. 150 each	300	3,600
One ditto at Rs. 100 each	100	1,200
Seven ditto at Rs. 60 each	420	5,040
Two Guzerathee, Canarese, and Tulingee, at Rs. 50 each.	100	1,200
Eight Peons, including Dufturbund and Musalchee, &c.	64	768
	Rs. 1,984	23,808
The present establishment connected immediately with the Duftur is	Rs. 1,756	21,072

To the above should be added three English writers, who will be required by the European Superintendent. Annaba, Mr. Francis Rouget, and Suddanund, should for the present be retained. The former is acquainted with every part of the English records, and is a very useful man; the second is a European clerk, writes English grammatically, is master of Hindustanee, well

versed in other Native languages, and is a good translator and examiner. He is also used to make out revenue statements from the Murathee language.* Suddanund is one of the most expeditious and accurate copyists I know.

I subjoin a list of statements that ought, in my opinion, to be furnished to the Superintendent of the Duftur from each Collectorate, in order that Government may be kept completely informed of the interior revenue administration of the provinces.

(Signed) W. CHAPLIN,
Commissioner.

No. 693 OF 1826.

To the COMMISSIONER IN THE DECCAN.

SIR,—I have had the honour to receive and lay before the Honorable the Governor in Council your letter dated the 9th instant, and I am directed to acquaint you that he has been pleased to adopt the plan suggested by you for the charge of the Poona Duftur after the Commission shall have closed.

A copy of your letter, with its accompanying plan, has been transferred to the Revenue Department, whence the orders regarding the details will be issued.

I have the honour to be, &c.

(Signed) W. NEWNHAM,
Chief Secretary to Government.

Bombay Castle, 19th May 1826.

No. 204 OF 1835.

POLITICAL DEPARTMENT.

To the CHIEF SECRETARY TO GOVERNMENT, Bombay.

SIR,—Upon the acquisition of these territories by the British Government, the Commissioner for settling the affairs thereof appointed an officer, with establishment commensurate with the magnitude, intricacy, and delicacy of the duty, to collate and arrange the whole of the Muratha archives. The work was, I believe, performed in a very efficient manner, and the whole Department of the records, as well as those of the Commission, was placed under the charge of the Agent, by whom they are still kept in the palace in the town of Poona, known by the denomination of "Nana Furnavees's Wara."

2. This mass of papers amounts to nearly 3,500 bullock-loads. The records are frequently referred to by the officers on points requiring elucidation in the public administration, and I also very often receive applications from private individuals for copies of documents of titles to land, and other rights,

* Mr. Rouget might be very useful in the Office of the Persian Secretary.

in consequence of the loss of these instruments during disturbances under former Governments, depredations, and other similar causes.

3. These considerations render it highly necessary that the integrity of the public records should be preserved with every possible care; and this observation, I believe, receives enhanced force from a consideration of the form of the Native records. This is not, as generally under the British Government, in books, but in loose papers, which must greatly facilitate any fraudulent act of fabrication.

4. Hitherto the records have been kept under the general care of the Agent's Sheristedar, but under, I think, an undue degree of responsibility; and this the more especially when it is considered that the palace, the deposit of these archives, is situated in the heart of the town, about a mile from the Agent's Office. The Sheristedar, therefore, or a Karkoon, has to proceed that distance whenever reference is required to be made to the records. Hence a considerable loss of time, besides the other evils of a separation of this kind.

5. Under these circumstances, I would beg to submit to the Right Honorable the Governor in Council a consideration of the propriety of such precaution as shall effectually guard against the probable consequences to which I have alluded.

6. Should Government concur in the view which I have taken of the great importance of this subject, and consider it necessary to give effect to a plan for ensuring the object, I would beg to suggest the appointment of a Keeper of the Records, on a salary of Rs. 100 per month, with a Karkoon at Rs. 30, and two Peons at Rs. 6 each, making together the monthly expense of Rs. 142, a sum which, I would submit, would be amply compensated by the realization of the object in contemplation, if my view of the subject be correct.

I have the honour to be, &c.

(Signed) S. MARRIOTT,

Poona, Agent's Office, 4th June 1835. Agent.

No. 1041 OF 1835.

POLITICAL DEPARTMENT.

To the AGENT FOR SIRDARS.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your predecessor's letter dated the 4th June, No. 204 of 1835, suggesting the adoption of precautionary measures for the better security of the Muratha archives contained in the Poona Duftur.

2. In reply, I am instructed to state that Government is fully sensible of the urgent necessity which exists for placing the Duftur under a more effectual superintendence than has yet been exercised over it, and also for adopting

measures for identifying the various papers of which it consists, and for the observance of due precaution in granting papers from the Duftur, in order to prevent those frauds which may be at present so easily committed against Government.

3. With these objects in view, the Right Honorable the Governor in Council is pleased to resolve that the superintendence of the Duftur shall be vested in a body of the most respectable Native residents in Poona, in whom the whole responsibility will centre, under the arrangements subsequently detailed, which you will be pleased to carry into effect.

4. The persons whom Government is pleased to nominate as the Members of this Committee are Ballajee Punt Nuthoo, Ramchunder Pandoorung Dhunduree, the Native Judge, the Revenue Commissioner's Dufturdar, and the Dufturdar of the Principal Collector of Poona; they are to be styled "Amanutdars of the Poona Duftur." Ballajee Punt Nuthoo is to be the chief Superintendent, and as such he is to be designated "Prudhan Amanutdar."

5. While the appointments of these individuals cannot but prove gratifying to their feelings, as giving them an additional weight and importance in the eyes of the Native community, the Governor in Council conceives that he has every reason to expect that they will be faithful to their trust, sensible, as they must be, alike of the honour conferred upon them, and of the hold Government has over them, in the pensions and grants which they now enjoy from its liberality.

6. The Superintendents are to be allowed to entertain two Karkoons of their own selection, one receiving Rs. 50, and another Rs. 20 per mensem.

7. None of the Native servants connected with the Agent's Office, or with the establishment of the Judge and Session Judge, should have anything to do with the Duftur; and the Karkoons belonging to the Agent's Office, now employed in the Duftur, should be discharged, if they are not positively required in that Office still.

8. The Governor in Council is pleased to appoint you to be the channel of communication between the Government and the Superintendents, and requests that every opportunity be taken by you to uphold and support the Amanutdars: the same conduct will also be required of the Principal Collector of Poona, to whom a copy of this letter will be forwarded.

9. The key of the Duftur will remain with the chief Superintendent, and, when the apartments are opened, one or more of the other Superintendents will always attend.

10. The first step which the Amanutdars should take should be to cause a register, in the Murathee language, to be made of all the papers in the Duftur.

11. A stamp, bearing the inscription of "Poona Duftur," in Roman characters, and the Honorable Company's arms, will, I am directed to signify to you, be made at the Mint, and furnished to you for the use of the Amanutdars; and the Right Honorable the Governor in Council is pleased to direct that, within as short a period as may be conveniently practicable, the register

mentioned in the preceding paragraph, and all the papers of the Duftur, be stamped, so as to prevent the subsequent interpolation or insertion of any document not really belonging to the Duftur.

12. The process of stamping will be carried on in the presence of two of the Amanutdars, and they will attend on such days, and at such hours, for this purpose, as may best suit their convenience. They will be allowed to employ as many additional Karkoons as they may find necessary in the prosecution of this work, upon the sanction of Government previously obtained through you.

13. All applications for copies of papers must, the Governor in Council directs, be in the first instance made to you as Agent, when, should you admit them, you will, by a Yad to the Superintendents, request that the copies required may be furnished. This should be done in the presence of two of the Amanutdars, and one of them should authenticate the copies.

14. You will further prescribe rules for the general conduct of business under the Amanutdars, whose duty it will be to bring to your notice all instances of suspected interpolation which may be found in the Duftur; and the Right Honorable the Governor in Council desires me to signify to you that it should be observed as a standing rule, that no person unconnected with the Office is to be allowed to make any search in the Duftur, or in any way have access to the records.

I have the honour to be, &c.

(Signed) C. Norris,
Chief Secretary to Government.

Bombay Castle, 4th September 1835.

No. 350 of 1835.

Political Department.

To the Chief Secretary to Government, Bombay.

Sir,—In reference to your letter No. 1041, dated the 4th ultimo, I have the honour to submit, for the consideration and orders of the Right Honorable the Governor in Council, the accompanying translation of a Murathee memorandum, delivered to me by the Amanutdars of the Poona Duftur, relating to the adoption of precautionary measures for the better security of the Muratha records deposited in Nana Furnavees's palace.

The records alluded to in the 7th and 9th paragraphs of the Amanutdars' report should, I am of opinion, remain under the immediate charge of the Agent, as heretofore, as he has to refer to them very frequently for information at the requisition of Government, and the several Collectors, respecting Inams, Jageers, charitable allowances, Wutuns, and other points connected with the arrangements made by the Commissioner.

The expense for carrying the orders of Government into execution, for the present, is estimated by the Amanutdars at Rs. 2,604 per annum; in addition to which they require, as a permanent charge, one Amuldar, four Peons, a Sweeper, and contingent allowance, including the Rs. 70 already sanctioned by Government, which, according to the abstract indicated below, increases the amount requiring sanction to Rs. 3,924.

Temporary charges, as per Amanutdars' report.....	Rs. 2,604
Two Karkoons sanctioned by Government, at Rs. 70 per mensem.	840
One Amuldar at Rs. 6 per mensem, four Peons at Rs. 5, and one Sweeper at Rs. 4	360
Contingent allowance at Rs. 10 per mensem	120
Total....	Rs. 3,924

As proposed in the 6th paragraph of the report, the Karkoon now in charge of the Duftur can remain, and may be ultimately transferred; his salary is Rs. 40 a month. There are no Peons attached to the Duftur, but which is guarded by a detail of four Sebundee Peons from the Poona Police Corps.

I have honour to be, &c.

(Signed) A. Bell,

Poona, Agent's Office, 9th October 1835. Agent.

Translation of a Report made to the Agent by the Amanutdars of the Peshwa's Duftur, dated the 23rd September 1835.

In conformity with the instructions conveyed in your letter of the 18th instant, we beg to make the following report on the present state of the Muratha Archives deposited in Nana Furnavees's palace:—

1. On our going to the palace, and overlooking the Duftur, we find the whole of the records are without a register. Some of the papers have lists, but in an imperfect and incomplete state, and some have none at all. There are others lying in great heaps, in a state of disarrangement and confusion.

2. On inquiring from the Sheristedar of the Agent's Court whether the whole of the papers were complete according to the lists, he replied that some of the papers were formerly stolen, for which the Karkoons and Jasoods were imprisoned, and that others were forwarded to the Konkun, consequently leaving the remainder incomplete according to the lists. We therefore beg to state that is impossible to specify what number of papers are now deficient, or what remain, without first examining and comparing them thoroughly with the existing lists.

3. The Agent's Sheristedar further informed us that the Duftur was not placed under the superintendence of one person, but has been under five or six successive persons, who never handed the records over to one another

specially, by exchanging regular receipts to that effect. Moreover, the same mode of management is still pursued. It therefore appears very doubtful whether the records will be found correct according to the original list.

4. The Government letter directs that a Murathee general register of the whole of the Duftur be first made. We, however, beg to state, that if the old register be revised and altered, it will be of no utility whatever, and the formation of new lists appears to us both necessary and advisable.

5. As this process will take up much time, we would recommend that two separate padlocks be placed on the large door of the palace until such time as the register is completed, one of them to remain in possession of the Sheristedar of the Agent's Court, and the other with us; because the responsibility of the Duftur will remain with the Sheristedar until the conclusion of the register, towards which the most unremitting exertions are required. And respecting the instructions laid down in the Murathee translation of the Government letter, for the daily opening of the padlocks, and attendance, we beg to state that the persons nominated to the superintendence of the Duftur will find it inconvenient to attend daily during the preparation of the register: we therefore beg to propose that one of the two Karkoons authorised by Government to be employed be entrusted with the key of the Duftur palace door till the lists are prepared; so when there are two padlocks thus made use of, it will be the means of preventing any interpolation or other abuse from creeping in.

6. In the management of the locks, it is necessary that a Karkoon of the Agent's Kutcheree should always attend till the completion of the register. The Karkoon who is at present in the Duftur will have to remain there, but in the event of his being prevented from attending at any time, from unforeseen causes, we beg to propose that another Karkoon from the Agent's Kutcheree be ordered to attend, that the prosecution of the work be not impeded, and the employment of Karkoons idly suspended.

7. The first apartment of the Duftur palace is occupied with the Murathee records of the Agent's Court, and on inquiring of their nature from the Agent's Sheristedar, he informed us "that they were abstracts of the Peshwa's Duftur, taken during the administration of the late Commissioner, together with the revenue accounts, &c. collected after the accession of the British Government, from the various Mamlutdars throughout the Deccan." We therefore beg to be informed whether they are to be assigned over to us or not.

8. The motives which induced Government to adopt these arrangements for the special care of the Muratha archives are, we believe, for their better security and management, and the supply of authentic information and proofs, and also for the prevention of interpolation. With these views we would beg that the whole of the papers that were extracted from the Peshwa's Duftur, and the other records, should remain with the Duftur, as they will prove useful to us for reference and comparison with the old records, &c. when any information would be required therefrom.

9. We beg also to state that there are other separate Roomals of papers, unconnected with the Peshwa's Duftur, being records of revenue survey proceedings, and we would wish to be informed under whose charge they are to remain.

10. After having completed the register, and other minor lists of the contents of the whole of the Roomals of the Muratha archives, we will then make a report of the manner in which the loose and unpacked heaps of other papers are to be disposed of.

11. The following are the average monthly expenses necessary to be incurred at present for the additional Karkoons, &c. required for the framing of a register and inferior lists :—

To fifteen Karkoons, per mensem	Rs. 195
Namely—	
To two Karkoons at Rs. 20 each	Rs. 40
To five ditto at Rs. 15 ditto	75
To eight ditto at Rs. 10 ditto	80
	Rs. 195
To two Carriers at Rs. 5 each	Rs. 10
For ink and paper, &c	12
Total	Rs. 217

The above sum will be required monthly, till such time as the work is completed; but we cannot definitely state the length of time required for that purpose; and we therefore only now propose the average expenses for one year at Rs. 2,604. We shall hereafter be able to judge what quantity of work will remain unfinished, and make a report accordingly.

12. We beg to state that, according to the Government instructions, two Karkoons will be employed.

13. For the security of the Dufturs, it is requisite that some persons should permanently be nominated, whom we beg to propose as follows, viz :—

1*st*.—Four Sepoys and one Amuldar for guarding the Duftur. These five persons must be active and trustworthy: as the Agent's Sheristedar has stated that some of the records were formerly stolen, it is therefore necessary that a guard and other necessary precautions should exist for their safe custody.

2*nd*.—One Khamattee or Sweeper is also necessary, for cleaning and cow-dunging the palace.

3*rd*.—Also a monthly sum for contingencies, &c.

The arrangements should be effected according to the suggestions in the above three articles, excluding those already effected.

The above are our sentiments upon the subject of compiling a register, and arranging and preserving the Duftur.

Those respecting the rules to be applied, alluded to in your former letter, we will give in a separate Yad. After receiving your answer the padlocks will be put on, and the compilation of the register and other lists will be commenced upon.

(Signed) Ballajee Narayen Nuthoo.
„ Ramchunder Pandoorung Dhewdhur *alias* Dhundaree.
„ Moro Trimbuk, Native Judge.
„ Nursoo Luximon, Dufturdar to the Revenue Commissioner.
„ Veesajee Gopall, Dufturdar of Principal Collector, Poona.

(True translation)
(Signed) A. Bell,
Agent.

No. 122 of 1835.

Political Department.

To the Agent for Sirdars.

Sir,—I am directed to acknowlege the receipt of your letter dated the 9th instant, to the address of the Chief Secretary to Government, submitting translation of a Memorandum by the Amanutdars of the Poona Duftur relative to the measures to be adopted for the better security of those records; and, in reply, to convey to you the following instructions and observations on the subject.

2. The Right Honorable the Governor requests you will inform the Amanutdars that their suggestions, evincing, as they do, a determination to discharge their important trust in an independant and effectual manner, are very creditable to them; and that while their report affords evidence of the irregularities, confusion, and corruption which have characterised the past management of the Duftur, the Right Honorable the Governor sees in that document grounds to anticipate much benefit from the superintendence of the Amanutdars.

3. It is stated in the 2nd paragraph of their Memorandum that the Agent's Sheristedar has informed them "that some of the papers were formerly stolen"; and in the 3rd paragraph that the "Duftur was not placed under the superintendence of one person, but has been under five or six successive persons, who never" gave receipts on taking charge. With reference to this, you will be pleased to inform the Amanutdars that when they discover frauds, it will be their duty to investigate them thoroughly; and if they discover the perpetrators, to report them to the Magistrate, who will deal with them according to the Regulations. The Collectors will be instructed to assist them in obtaining the attendance of witnesses, and in other matters requisite to the trial.

4. The expense of the extra establishment required by the Amanutdars appears to be over-estimated in the 3rd paragraph of your letter; for the two last charges noted in the margin it will not, it is presumed, be necessary to incur. All that the Amanutdars apply for is a guard, sweeper, and a contingent allowance, and these wants must be supplied under the new arrangement, as they have been hitherto. The new establishment will expend more paper, pens, ink, and other stationery than has hitherto been usual, but that expense is provided for in the statement inserted in the 11th paragraph of the Memorandum.

One Amuldar at Rs. 6 per mensem, four Peons at Rs. 5, and one Sweeper at Rs. 4.....	Rs. 360
Contingent Allowance at Rs. 10 per mensem.....	120
Total....	Rs. 480

5. The whole additional expense, therefore, which the suggestions of the Amanutdars will entail, seems to be that on account of a temporary establishment required to arrange and register the papers, amounting, inclusive of an allowance for stationery, as per statement in paragraph 11, to Rs. 217 per mensem; which expense the Right Honorable the Governor is pleased to sanction for one year, at the expiration of which period you will be pleased to call upon the Amanutdars to report the progress made in the work in question, for the information of Government.

6. Adverting to the 2nd paragraph of your letter, I am desired to acquaint you that the papers therein alluded to should remain under the special charge of the Amanutdars, the security of those papers being one of the chief objects of their appointment. When the Agent, Judge, or any other public officer may require the use of them, he should forward a list of them to the Amanutdars, who will then furnish them, receiving a receipt for the same.

7. As it appears that the Amanutdars have delayed taking charge pending the receipt of a reply to their reference, I am desired by the Right Honorable the Governor to request that the Poona Duftur be made over to them without further loss of time.

I have the honour to be, &c.

(Signed) W. H. WATHEN,
Chief Secretary to Government.

Dapooree, 26th October 1835.

No. 116 OF 1836.

POLITICAL DEPARTMENT.

To the ACTING SECRETARY WITH THE RIGHT HON. THE GOVERNOR,
Poona.

SIR,—In reference to a letter from the Secretary with the Right Honorable the Governor, No. 122, dated the 26th of October 1835, I have the honour to submit, for the information of the Right Honorable the Governor, the accompanying translation of a Murathee Memorandum, received from the

Amanutdars of the Poona Duftur, reporting the progress made in registering and arranging the Muratha archives, and stating that the completion of the work will require five years in addition to the one already sanctioned by Government.

2. I beg to state that the establishment sanctioned by Government is Rs. 287 per mensem, besides the pay of a Karkoon deputed from the Agent's Office, to assist the Amanutdars, at Rs. 40, causing a monthly expenditure of Rs. 327, which, in the course of six years, will amount to Rs. 23,544; and as the advantages to be derived from the arrangement are, in my opinion, in no way commensurate with the expense of keeping up the present establishment, it becomes, consequently, a question for the Government to decide how far it will be expedient to continue it.

3. I am not aware that any valuable information can now be furnished from the old archives, as I have every reason to believe that all the valuable and useful papers have long since been abstracted; and as these old archives can now be of little use in the management of the country, I venture to recommend that they may be locked up, and the key kept with the Agent, who can either personally attend, or depute some trustworthy person, to open the Duftur whenever a copy of any paper may be required.

4. In conclusion, I beg to add that I consider the continuance of the establishment a useless expenditure of money.

I have the honour to be, &c.

(Signed) A. Bell,

Poona, Agent's Office, 1st August 1836. Agent.

Translation of a Yad from the Amanutdars of the Poona Duftur, dated the 11th July 1836.

1. We beg to acknowledge the receipt of your letter of the 6th June last, calling for a report of the progress made in registering and arranging the Muratha Dufturs from the commencement up to the present date, and further, directing us to report monthly on the work done.

2. We again received another communication from you on the 4th instant, requesting to be early informed as to the quantity of work done, and what time would be necessary to complete the whole work.

3. We therefore now, in reply, beg to state that 1,905 Roomals or bundles of papers, containing the accounts and disbursements of both the Poona and Ahmednuggur Collectorates, have been registered and arranged, which took about eight months to complete. On examining the records, some of them appear in such a state of disarrangement and confusion as to require to be regularly and alphabetically arranged. There are certain papers deficient in some of the bundles; and it takes much time to search the whole of them minutely.

We beg to notice that 13,000 Roomals or bundles of papers remain now to be registered, and that, according to the state of the work already done, we believe it will take five years more to complete the task. Should you, however, think it only necessary to register such papers as are indispensably necessary for the public use, and merely to arrange the remainder, it will even in that case alone require two years. Formerly, in our Yad of the 23rd September 1835, we stated "that we would, after a period of one year, be able definitely to state what time would be actually necessary to complete the work, and that we would accordingly make a report"; and as we were going to do so shortly, we in the mean time received your two aforesaid letters; we have, therefore, roughly computed the above time.

(Signed) Ballajee Narayen Nuthoo.
„ Ramchunder Pandoorung Dhundree.
„ Moro Trimbuk, Native Judge.
„ Nursoo Luximon, Dufturdar to the Revenue Commissioner.
„ Veesajee Gopal, Dufturdar to the Principal Collr. Poona.

(True translation)
(Signed) A. Bell,
Agent.

No. 1665 of 1836.

Political Department.

To the Revenue Commissioner.

Sir,—I am directed by the Right Honorable the Governor in Council to refer, for your opinion and report, the accompanying copies of a letter from the Agent for Sirdars in the Deccan, dated the 1st ultimo, and of its enclosure, regarding the progress made in registering and arranging the Muratha archives contained in the Poona Duftur, and the establishment and time required for completing the same.

I have the honour to be, &c.
(Signed) J. P. Willoughby,
Secretary to Government.

Bombay Castle, 6th September 1836.

No. 2580 of 1836.

Political Department.

To J. P. Willoughby, Esq.,
Secretary to Government, Bombay.

Sir,—I have the honour to acknowledge the receipt of your letter of the 6th September last, referring, for my opinion and report, a copy of a letter from

the Agent for Sirdars in the Deccan, regarding the progress made in registering and arranging the Muratha archives contained in the Poona Duftur, and the establishment and time required for completing the same.

2. I beg respectfully to state that I am of opinion that the arrangement of the records should continue, for the substantial reasons which induced Government to undertake it, and that it would be bad policy to take the charge of the Duftur out of the hands of the Amanutdars.

3. From the estimate the Agent has given in his 2nd paragraph, I would deduct Rs. 70, since that is the expense of the permanent establishment of the Duftur. This reduces the temporary extra charge to Rs. 217. The services of the Karkoon mentioned in the Agent's 2nd paragraph might now, I am informed, be easily dispensed with.

4. Government will perceive, from the Amanutdars' Yad, that they undertake "to register such papers as are indispensably necessary for the public use"— in two years,—a proposal which, I think, should be accepted.

5. The value of these records is considerable. They contain registers of the Sunuds, and evidence of the possession of persons holding Inam lands, Wurshasuns, Dhurmadeo allowances, &c. which would be of essential use were Government to institute an investigation into the rights of persons enjoying those possessions; and that such investigation is highly desirable there can be no doubt.

6. If Government had a competent officer available to inquire into the titles of persons holding rent-free lands and enjoying pensions, &c. I verily believe that many titles would be found invalid, and that the result would be of considerable advantage to the public revenue.

7. To protect Government's interests in these matters is one of a Collector's duties, but the Deccan and Konkun Collectors are, as Government is fully aware, so overwhelmed with other duties, which cannot be postponed, that it is quite hopeless to expect that such extensive examinations can be conducted by them in the minute, regular, and careful manner requisite.

I have the honour to be, &c.

(Signed) T. Williamson,
Revenue Commissioner.

Rev. Commr.'s Office, Punowla, 9th December 1836.

No. 108 of 1837.

Political Department.

To the Agent for Sirdars in the Deccan.

Sir,—In acknowledging the receipt of your letter of the 1st August last, with translation of a Yad from the Amanutdars of the Poona Duftur, reporting the progress made in registering and arranging the Muratha archives (entrusted to them for that purpose), and the establishment and time required for completing

the same, I am directed to inform you that the Right Honorable the Governor in Council deems it inexpedient to comply with your recommendation for the immediate discontinuance of the arrangement of these records.

2. Adverting, however, to the 2nd paragraph of your letter regarding the expenses on account of the Duftur establishment, I am directed to observe that the sum of Rs. 70, being the expense of the permanent establishment of the Duftur, should be deducted, and the temporary extra charge is thus reduced to Rs. 217 per mensem. The Governor in Council is also of opinion that the services of the Karkoon, deputed from the Agent's Office to assist the Amanutdars, at Rs. 40 per mensem, may at once be dispensed with.

3. In the 3rd paragraph of the Yad, the Amanutdars undertake "to register such papers as are indispensably necessary for the public use" in two years, and the Governor in Council is pleased to accept this offer.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Secretary to Government.

Bombay Castle, 28th January 1837.

No. 109 OF 1837.

POLITICAL DEPARTMENT.

To the REVENUE COMMISSIONER.

SIR,—I am directed to acknowledge the receipt of your letter dated the 9th of December last, regarding the Poona Duftur, and to transmit for your information the annexed copy of my communication of this date to the Agent for Sirdars, on the same subject.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Secretary to Government.

Bombay Castle, 28th January 1837.

No. 10 OF 1837.

POLITICAL DEPARTMENT.

To the SECRETARY TO GOVERNMENT, Bombay.

SIR,—The period sanctioned by Government for the establishment of the Poona Duftur having expired, the Principal Collector of Poona, consequently, objects to the payment of the abstract for November last. I have, therefore, the honour to request, should Government not feel disposed to accede to the propositions contained in my letter No. 216, dated the 1st of August last, to the address of the Secretary with the Right Honorable the Governor in the Deccan, that the Principal Collector at this Station may be authorised to con-

tinue paying the Duftur establishment for such period as Government may think necessary.

In conclusion, I beg to represent that the advantages to be derived from keeping up the Duftur under the Amanutdars are, in my opinion, in no way commensurate with the expense.

I have the honour to be, &c.

(Signed) A. BELL,
Agent.

Poona, Agent's Office, 19th January 1837.

No. 344 OF 1837.

POLITICAL DEPARTMENT.

To the AGENT FOR SIRDARS IN THE DECCAN.

SIR,—In reply to your letter dated the 19th January last, I am directed by the Right Honorable the Governor in Council to refer you to my communication of the 28th of that month, sanctioning the continuance of the Poona Duftur establishment for a further period of two years, and to inform you that the departments concerned have been this day advised accordingly.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Secretary to Government.

Bombay Castle, 3rd March 1837.

No. 38 OF 1837.

POLITICAL DEPARTMENT.

To the SECRETARY TO GOVERNMENT, Bombay.

SIR,— Having communicated to the Amanutdars of the Poona Duftur the instructions of Government conveyed in your letter No. 108, dated the 28th of last month, I have the honour to submit, for the orders of the Right Honorable the Governor in Council, the accompanying translation of a Memorandum from three of the Amanutdars (the other two being absent), assigning reasons for not reducing the permanent establishment, and dispensing with the services of the Karkoon deputed from the Agent's Office.

I have the honour to be, &c.

(Signed) A. BELL,
Agent.

Poona, Agent's Office, 28th February 1837.

Translation of a Memorandum presented by the Amanutdars of the Poona Duftur, dated the 23rd February 1837.

We beg to acknowledge the receipt of your memorandum of the 1st instant, stating "that our Yad of the 11th July 1836 was translated and submitted to Government, and that an answer thereto, under date the 28th January last, had been received, with instructions that the expense of the permanent establishment of the Duftur, Rs. 70 per mensem, be dispensed with, by dismissing the two Karkoons, namely Bhiccajee Rughoonath and Krishnajee Chintamun Gorey; and further, that the Karkoon deputed from the Agent's Kutcheree be remanded back to the Agent's Office, and that the remaining amount of the temporary establishment, Rs. 217, would be continued, according to our proposal, for the space of two years more, for the purpose of registering such papers as are indispensably necessary for the public use."

2. We therefore beg in reply to state, that previously to our entering upon this task, we submitted our Memorandum of the 23rd September 1835 to Government. In the 5th paragraph thereof we have stated our opinion as to the manner in which matters should be conducted until the completion of the work. This suggestion was approved of by Government, as communicated to us in a letter dated the 27th October 1835. The work has accordingly since been carried on. At present we are ordered to discharge the two Karkoons. We therefore beg to state that it is customary, for the purpose of registering the Muratha archives, that the papers should be taken out and the register made. It is also necessary, with a view to the vigilant and unremitting performance of the duties connected with the registry, that there should be some one to superintend and look after the records; for without the adoption of this precaution it is impossible that the records can remain safe,—no confidence can be placed in the individuals composing the temporary establishment. The Amanutdars, moreover, cannot always, but according to their convenience, visit the Dufturkhana; it is impossible that they can daily attend to the superintendence of the work. It appears, however, very doubtful to us, should the aforesaid two persons, who have become intimately acquainted with both the duties and the records, be discharged, that the objects and intentions of Government will ever be realized, notwithstanding the expense. We have, therefore, thought it imperative on us to communicate our sentiments to Government, and shall, until the receipt of a reply, take the liberty to allow affairs to continue in their former state; because, should the persons in question be dismissed, it is impossible that the business can be carried on in an efficient manner, and everything will be at a stand.

3. Should the Government, however, be determined to dismiss the two Karkoons, we would, in that case, beg that it will be pleased to make arrangements regarding the appointment of another trustworthy person to superintend the work daily, and he will be held responsible for any fraud or other impropriety in the work. We have already assigned our reasons above for not

having dismissed the two aforesaid Karkoons or dispensing with the services of the Karkoon belonging to the Agent's Court, and therefore entreat that this may be taken into consideration, and that we may be favoured with an immediate reply.

(Signed) BALLAJEE NARAYEN NUTHOO.
„ RAMCHUNDER PANDOORUNG DHUNDUREE.
„ MORO TRIMBUK, Principal Sudder Ameen.

(True translation)

(Signed) A. BELL,
Agent.

No. 573 OF 1837.

POLITICAL DEPARTMENT.

To the AGENT FOR SIRDARS IN THE DECCAN.

SIR,—I am directed to acknowledge the receipt of your letter dated the 28th ultimo, forwarding a translated Memorandum from three of the Amanutdars engaged in arranging the Muratha archives contained in the Poona Duftur, requesting that their establishment may not be reduced.

2. In reply, I am desired to inform you that the Right Honorable the Governor in Council has no objection to the two Karkoons, whose pay amounts to the sum of Rs. 70 per mensem, being retained, but the one deputed from your Office must be dispensed with, agreeably to the instructions conveyed in the 2nd paragraph of my letter dated the 28th January last, since Government are of opinion that the two Karkoons above alluded to, in conjunction with the establishment comprised in the allowance of Rs. 217 per mensem, are sufficient for the duties required.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Bombay Castle, 31*st March* 1837. Secretary to Government.

No. 290 OF 1838.

POLITICAL DEPARTMENT.

To the SECRETARY TO GOVERNMENT, Bombay.

SIR,—I have the honour to submit, for the final decision of the Honorable the Governor in Council, the accompanying translation of a Murathee Memorandum from four of the Amanutdars of the Poona Duftur (the Prudhan Amanutdar has been absent at Sattara for the last twenty months), reporting the progress made in registering and arranging the Muratha archives, and begging that the present establishment may be continued for one year, or at least six

months, for the completion of registering such papers as are indispensably necessary for the public use, beyond the period allowed in Mr. Secretary Willoughby's letter to the Agent, No. 108, dated the 28th January 1837.

2. As it is stated in the same letter that it would be inexpedient to comply with Mr. Bell's recommendation for the immediate discontinuance of the arrangement of these records, I beg leave to suggest, should the Honorable Board still deem it necessary to keep up the establishment, that the proposition contained in the Amanutdars' report may be sanctioned.

I have the honour to be, &c.
(Signed) P. W. LeGeyt,
Acting Agent.

Agent's Office, Poona, 7th November 1838.

Translation of a Yad from the Amanutdars of the Poona Duftur, dated the 21st October 1838.

Having been ordered to arrange and register the Muratha archives of the late Government, as deposited in the Wara of Nana Furnavees, we beg to report as follows :—

1. That we submited a Yad on the 11th July 1836 (No. 31), reporting that the records consisted of about 13,000 Roomals, and that a period of five years was necessary to complete a regular index, or one year for registering such papers as are indispensably required for the public service, and arranging the others. Subsequently, we represented that a further period of two years, in addition to the former one, appeared to be necessary for the task in question, and received in reply two letters, one dated 1st February and the other 11th of April last, sanctioning the time required by us. We have, therefore, agreeably to the instructions conveyed therein, commenced upon the said work.

2. That we stated in our Yad (No 31) that it took us a period of about eight months to register 1,905 Roomals, besides which we have during the last twenty-seven months registered 5,807 Roomals, making in all 7,712 Roomals, and arranged 900 Roomals of the Soobahs of Sattara, Hindoostan, &c., which, we believe, will be registered by the 14th of November next, being within the time allowed us by the Sirkar. The following, however, is a detail of the quantity of work performed by us, viz :—

	Roomals registered.
Roomals of Surinjams	14
Roomals of Keird, or receipts and disbursements	716
Roomals of the Khandesh Collectorate	204
Roomals of the Collectorates of the Konkun	2,547
Roomals of Bhedeachee Khutawnee	83
Roomals of Ajmaish (estimate)	169

Roomals of the Poona Collectorate	634
Roomals of the Soobah Mooghlaee	91
Roomals of Turjuma, or abstract of total receipts, expenditures, and balances	54
Roomals of Dewusthans	15
Roomals of the Ahmednuggur Collectorate	413
Roomals of the Soobah Kurnatik	329
Roomals of Gudnea	2,443
Total Number of Roomals	7,712

Roomals arranged.

Roomals of the late Commissioner	162
Roomals of the Soobah Hindoostan	207
Roomals of the Sattara Collectorate	367
Roomals of the Guzerat Collectorates	93
Roomals of Bapoo Gokla's administration	71
Total	900

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

3. There are about 5,000 Roomals yet to be arranged and registered, which will require a further extension of time. Most of the important Roomals have been registered; but as we cannot judge, by looking at the Roomals, as to what information they contain, we beg to state that, unless they be opened and minutely inspected, we shall not be enabled to register them in regular order. We formerly guessed the shortest probable time which might be required by us for the said work, but upon opening the Roomals, and arranging them alphabetically, we found the papers in great disorder and confusion, so that after we had registered papers belonging to one department, we found papers pertaining to the same department among Roomals of another description. We also found papers and Roomals among a heap of loose papers near the records, and while we were employed in separating and arranging these, the time allowed us by the Sirkar wholly expired. We therefore beg to state that it will further occupy a period of one year to finish the work; but should the Government not deem it necessary to make a complete register of the remaining Roomals, we beg to state that it would take us at least six months to register those which will be required for the public service, and to arrange the rest, as we have found about 400 Roomals and bundles of loose papers belonging to the departments which we registered, and which now require to be arranged in their proper places; besides which we beg to state there are about 600 other Roomals, containing documents of useful reference, which will make in all about 1,000 Roomals to be arranged and registered. We therefore beg to state that four months at the least will be necessary for registering them, and two months for arranging the other Roomals, making a period of six months absolutely requisite for

completing the work in question. We beg to state that if those necessary arrangements be not made, great uncertainty must prevail upon any reference being hereafter made to those records.

4. We therefore beg that the circumstances detailed above may be taken into consideration, and orders issued for an extension of the term, in order to complete the work. Besides the Roomals mentioned above, there are a few rooms full of loose papers, but as great difficulty and inconvenience will be experienced in arranging and registering them, we have kept them apart for the present. We therefore beg to suggest the propriety of first inspecting the Roomals, and afterwards registering such as may be required for the public use, and arranging the others, as stated in the 3rd paragraph of this Yad.

In conclusion, we beg to state that we have only mentioned these circumstances for the information of Government, and shall therefore await its orders upon the subject.

(Signed) RAMCHUNDER PANDOORUNG DEODHUR *oorf* DHUNDUREE.
„ MORO TRIMBUK, Principal Sudder Ameen of Poona.
„ NURSOO LUXIMON, Dufturdar of the Revenue Commissioner.
„ VEESAJEE GOPAL, Dufturdar of Poona.

(True translation)
(Signed) P. W. LEGEYT,
Acting Agent.

No. 7 OF 1839.

POLITICAL DEPARTMENT.

To the AGENT FOR SIRDARS IN THE DECCAN.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of Mr. LeGeyt's letter, dated the 7th November last, No. 290, forwarding translation of a Memorandum from four of the Amanutdars of the Poona Duftur, dated the 21st October last, reporting the progress made in registering and arranging the Muratha archives, and requesting that the present establishment may be continued for a further period of one year to finish the whole work, or at least six months to complete the registry of such papers as are indispensably necessary for the public use, beyond the time specified in the Government letter dated the 28th January 1837.

2. In reply, I am desired to express to you the extreme regret of Government on learning that an extension of time beyond that already sanctioned is considered necessary for this purpose; but as the Governor in Council considers the work one of great importance, he is pleased to sanction the continuance of the establishment until the 1st of June next, when it should be discharged.

3. You will be pleased to inform the Amanutdars that Government fully rely on their best exertions to secure that the work is completed by the above date.

4. As it now seems desirable to consider in what way the Duftur can best be taken care of, after it has been completely arranged, I am directed to inform you that the Honorable the Governor in Council is pleased to appoint a Committee, to be composed of the Collector of Poona and yourself, for the purpose of reporting on this subject.

5. It appears to the Governor in Council also desirable that, with a view to prevent frauds, a complete copy of the registry should be prepared, and that the same having been stamped, and authenticated by the Committee, should be forwarded to Government for deposit at the Presidency. The Committee's opinion on this point should, in the first instance, be submitted to Government.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Secretary to Government.

Bombay Castle, 3rd January 1839.

No. 177 OF 1841.

POLITICAL DEPARTMENT.

To the SECRETARY TO GOVERNMENT, Bombay.

SIR,—I have the honour to acknowledge the receipt of your letter No. 7, dated 3rd January 1839, appointing a Committee, consisting of the officers noted in the margin, to report upon the best way in which the Poona Duftur can hereafter be managed.

The Agent for Sirdars, and the Principal Collector of Poona.

2. In accordance with those instructions, Mr. Frere, the then First Assistant Collector in charge of the Zilla of Poona, and myself met, and, in conjunction with such of the Amanutdars as were present, had an inspection of the Duftur records, papers, &c., and our report, dated the 1st June 1839, is herewith forwarded.

3. Before offering any remarks respecting the Committee's report, I beg leave to refer to the previous correspondence which has taken place respecting the Poona Duftur.

4. On the 4th September 1835, the Government appointed certain respectable individuals, to be denominated Amanutdars, who were to cause a register to be made in the Murathee language of all the papers in the Duftur (paragraph 10), which were to be stamped by a seal, to be made at the Mint (paragraph 11), in presence of two of the Amanutdars, and other rules and instructions were issued to them for their guidance.

5. Under date the 3rd August 1836, the late Agent reported to Government that the Amanutdars would require a period of five years to register and arrange all the Muratha archives; but those functionaries stated in their Memorandum, translation of which accompanied Mr. Bell's letter, that they would complete the registry of all the papers indispensably necessary for

the public use in two years, which offer the Government accepted (Government letter of the 28th January 1837, paragraph 3).

6. Under date the 7th of November 1838, the Acting Agent forwarded translation of another Memorandum from the Amanutdars, soliciting a further period of six months to complete the register of such papers as are indispensably necessary for the public service, which application was granted by Government (Government letter No. 7, dated 3rd January 1839), who then ordered the Committee alluded to in the 1st paragraph of this letter.

7. After the Committee had completed their report, it struck me that the measures proposed to be adopted might cause so much inconvenience to the Government, that I determined not to send in the report till I could have practical experience how the Duftur worked, as neither Mr. Frere nor myself had any previous knowledge about it, and till I could submit such a plan to Government as would save expense.

8. In the mean time the Government, under date the 19th June 1839, forwarded, for my opinion and report, copies of correspondence they had with the Revenue Commissioner respecting the transfer of the Zhurtees belonging to the Rutnagherry Zilla from the Poona Duftur to the Collector, on which I had the honour to report, objecting to the arrangement, for reasons recorded (vide Agent's letter, 30th December 1839); but the reasons and objections urged were overruled by Government, and it was finally determined (11th January 1840) that all the Zhurtees, amounting to the large number of 1,875 Roomals, should be sent to the different Collectors, and the Amanutdars were ordered to prepare them accordingly.

9. The old Karkoons, therefore, on the establishment, (viz. one Karkoon on Rs. 50, and another on Rs. 20,) which Government had ordered to be reduced, were absolutely necessary to be retained, as without them the Amanutdars could not make that separation and division, from other papers, of the Zhurtees for each Zilla; whilst the establishment submitted with my letter No. 167, dated 8th instant (Territorial Department), was necessary to prepare the Ferisht of the documents, amounting in all to about 1,875 Roomals, and was utterly useless for taking out the Zhurtees, which none but those who had experience in the Duftur could do.

10. The Ferishts of the Zhurtees were not completed till the 8th instant, as reported in my letter to Government above alluded to, and, therefore, the services of these old Karkoons could not be dispensed with till that date; and under the orders of Government, No. 1069, dated 1st April last, to forward the Taleebunds to the Collector of Rutnagherry, they will be required for the same period as the extra Karkoons required for making registers of the Taleebunds, for which I have applied under date the 8th instant.

11. Whilst these Karkoons were employed on the duty above detailed, they were also engaged in preparing answers to the references from the different Collectors, and making copies of papers applied for by various authorities, which, from the accompanying statement No. 1, the Government will see have been considerable; and under all these circumstances, I trust the

Government will sanction the payment of this establishment, amounting, from 1st June 1839, when they were nominally discharged, to the end of June 1841, to Rs. 1,727-10-8, as per statement No. 2 annexed.

12. These Karkoons have received their pay to the end of April last, though the amount has not been entered in the Government accounts.

13. Experience, since the Committee's report was written in the Agent's Department, has convinced me that there is no absolute necessity for an European officer to revise what has been done, as suggested by the Committee (5th paragraph of the report). That portion of the Duftur which has been arranged is sufficiently well done for all public purposes, and I can see no absolute necessity for increasing the expense which it would cost Government to appoint a qualified person, independent of the inconvenience which the public service would be put to by the withdrawal of such an officer as would be competent for the duty.

14. With respect to the disposal of the old papers alluded to in the 2nd, 3rd, and 4th paragraphs of the Committee's report, I have on various occasions, when I visited the Duftur, taken up some of the papers ; they did not appear to be of any consequence. I have also consulted with such of the Amanutdars as were present, who seem to be of opinion that these old papers were mere rubbish, but that they could not say, without a minute examination of them, whether or not any of them were valuable.

15. The Committee have observed, in reference to these papers, "that amongst such a mass of papers the probability is some must be of value" (paragraph 3), and that until all the "valuable documents" have been arranged, and the fragments destroyed, the arrangement of the Duftur cannot be considered complete (paragraph 4).

16. The question for decision is whether, with the chance of obtaining a few valuable documents, it is worth the expense which must be incurred to put together and arrange all the fragments scattered in different rooms, and often in small bits.

17. The Peshwa's Duftur during the reign of Bajee Rao was originally kept in the Sunwar Palace, but when the palace was set on fire during that prince's sovereignty, the Duftur papers were removed by order of Chinto Punt Deshmook to the houses of Govind Rao Kalley, and Babjee Naik Baramutkur, where they remained, without much order or arrangement, till the commencement of the British rule. They were then, by order of the Honorable Mr. Elphinstone, sent to the Khasgeewala's house, and subsequently removed to Nana Furnavees's palace, where they now are. At that time, the Honorable Mr. Elphinstone had the Duftur examined, and what papers were of public use arranged, and the rest put into rooms ; and these papers, together with the records brought at a subsequent period from Trimbukjee Denglia's and Bapoo Gokla's houses, are there now, in the rooms alluded to by the Committee in the 2nd paragraph of their report.

18. It is just possible that the establishment above alluded to, as having been appointed by the Honorable Mr. Elphinstone to arrange the Duftur

papers, may have overlooked some papers of importance, though it is not, I think, very likely: at all events, if there were any papers of value, it is not improbable they may have been long since abstracted. It is also just possible there may be some documents of importance amongst the papers brought from Trimbukjee Denglia's and Bapoo Gokla's houses, though, considering the situations these Sirdars held under the Peshwa, it is not likely that they kept any accounts likely to be very useful to the British Government.

19. Forming a judgment, therefore, on such verbal information as I have been able to gain, and considering the labour and expense of putting these fragments together, and the great doubts whether, when put together, any documents will be discovered which will be useful to Government, or commensurate with the expense to be incurred, I am now of opinion that the fragments should either be burnt or sold.

20. If the latter plan were adopted, and which I beg leave to recommend, the papers would probably fetch about Rs. 800 or Rs. 1,000. It would be desirable to entertain a few Karkoons to look at the papers, as they are taken out of the rooms, and before being made over to the purchasers, in case there should be any amongst them which it might be desirable to retain, and in case any fragments may have the signature of Nana Furnavees or any other officer, which might hereafter be pasted to other papers, and made use of for fraudulent purposes. The money realized by the sale of useless fragments would no doubt fully cover the expense of the establishment required, and leave a little for the benefit of Government.

21. Since the Committee finished their report, the Government have ordered all the Zhurtees belonging to the different Zillas to be transferred to the respective Collectors, and subsequently the Government have directed the Taleebunds of the Rutnagherry Zilla to be transferred to the Collector of that Zilla; and as soon as I have received certain information from the Amanutdars, I propose recommending to Government that, as they have ordered the Taleebunds of one Zilla to be taken from the Peshwa's Duftur, the Taleebunds of all the other Zillas should also be sent to the respective Collectors. If this arrangement is sanctioned, it will reduce the number of Roomals in the Duftur as follows:—

Number of records in the Duftur, as shown in the 6th paragraph of the Committee's report.....		14,661
Deduct number of Roomals of Zhurtees transferred by order of Government to the different Collectors.....	1,875	
Deduct probable number of Roomals containing Taleebunds, which will be recommended to be transferred to the different Collectors	1,000	
		—— 2,875
Number of Roomals which will remain in the Poona Duftur.....		11,786

22. The Committee, in the 7th paragraph of their report, have recommended the transfer of the records to the different authorities to whose Zillas they may refer; and considering that the Government have subsequently to that report ordered the Zhurtees and Taleebunds of one Zilla to be made over to the Collector, I think, whatever objections there might have been originally to the Committee's suggestion, that under the present state of the Poona Duftur it should now be at once adopted.

23. In the event of Government not concurring in the suggestion of the Committee to send the records from Poona, the Government will observe that the Committee have recommended an establishment of Rs. 110 per mensem for looking after the records. There must be an establishment to answer all the references made by the several Collectors, if the records are to be kept at Poona, and after having had some experience in the Agent's Office, I am of opinion that the establishment need not be quite so large as that recommended, but it should not be less than two Karkoons.

24. It now remains to consider the best way of supplying the establishment, without putting Government to any expense. I find, on referring to the records, that the Native establishment of the Agent was originally intended for the Agent's Department and the Duftur, and in my opinion the Karkoons in the Agent's Department, drawing the salaries mentioned in the margin, might be transferred to the Duftur from 1st July next, without much inconvenience to the Agent's Department, and the Furash and contingent expenses can be paid from the Agent's contingent allowances.

One Karkoon..	Rs.	38	8 0
One „ ..		19	8 0
Total..	Rs.	58	0 0

25. Should, therefore, Government determine to keep the Duftur still under the Agent, and not remove the records to the different departments to which they belong, the Government will, by adopting the suggestion in the preceding paragraph, incur no expense whatever, and the Duftur can remain as heretofore under the Amanutdars, who have hitherto so well conducted their duties, as recorded by the Committee in the concluding paragraph of their report, or under the immediate charge of the Agent, whichever Government may think most expedient.

26. I have now to apologise for not sending in the report of the Committee before this date; but a desire to supply Government with information founded on experience, and to save Government from the expense which the Committee contemplated would be necessary, have been my motives for delaying the transmission of the document.

I have the honour to be, &c.

(Signed) R. Mills,
Agent.

Agent's Office, Poona, 11*th June* 1841.

Report of the Committee.

1. The Committee in the first instance visited Nana Furnavees's Palace, where the Duftur is kept, and found the records, as far as the arrangement of them had gone, well arranged and in good order, the several documents relating to the several districts which formed the dominions of the Peshwa being kept separate. These are, again, arranged according to the nature of their contents and the years to which they refer, and tied up in separate bundles, numbered with the general contents marked upon the outside of each. The number referred to the general register, in which the contents of each bundle were entered at length, and from trials made by the Committee, they found the arrangement to be good, and the documents easy of access.

2. In addition to the documents so arranged, there are seven or eight rooms nearly filled with papers laid in a heap upon the floor, which the Amanutdars stated were papers of no importance, or else fragments of documents which could not be arranged. The Committee examined some of these, and although they are at present in a state of confusion, yet care and trouble would probably restore many useful documents to a perfect state, and all others should be destroyed.

3. One of the largest of these rooms contained papers brought from Trimbukjee Denglia's, and, among such a mass of papers, the probability is that some must be of value, though many of them probably are only, as some of them appeared, scraps of paper upon which some of the Karkoons and others have been working sums.

4. The Committee are, however, decidedly of opinion, that until all the valuable documents have been arranged, and the useless fragments destroyed, the arrangement of the Duftur cannot be considered complete; and consequently, that in order to render the heavy expense which has already been incurred of any real substantial use, a further outlay is neccessary for its completion, as, so long as the papers continue in their present state, documents cannot be said not to be in the Poona Duftur which are not among those arranged, as it may always be urged that they are among those now mouldering in confused heaps.

5. In conversing with the Amanutdars upon this point, they appeared to contemplate a further period of two years as the length of time it would require thoroughly to examine these papers and arrange them, and that the effect would probably be to increase the Duftur to about one half more. Whether the Honorable the Governor in Council considers that the object to be gained, by thus completing what has cost already so much, is worth the outlay, the Committee cannot presume to predict. Their own opinion, however, is, that the expense ought to be incurred; and as the most efficient, and at the same time, in the end, least expensive arrangement, they would suggest that some European well acquainted with the Murathee language should be appointed to revise all that has been done, and examine and arrange those documents which

have been thrown aside by the Amanutdars. This plan would likewise be the most expeditious, as he would be able to devote his whole time during the whole day to this one subject, whereas the Amanutdars, in making their arrangements, are obliged to consult the convenience of at least two individuals, who have either official duties or their own private affairs to attend to.

6. The next subject for consideration is how the records are to be ultimately disposed of, if Government is determined to incur no further expense in arranging them. The records at present arranged, amounting as per margin, must nevertheless be preserved, and for this purpose an outlay of about Rs. 1,039 must be incurred, as per estimate submitted, in making shelves alone upon which to arrange them. A further expense should, in the opinion of the Committee, be incurred in knocking down small partition walls and filling up doorways, so as to throw what are now large rooms with small closets off them into single large rooms with not more than three doors; the record rooms would then consist of large spacious rooms, secured with padlocks on each door, instead of, as at present, several rooms of various sizes, with so many doors that any attempt at securing them must be impossible. An arrangement of the above nature would render the Poona Duftur very complete.

8,229 bundles or Roomals, in which every paper in each bundle has been registered.
6,432 bundles or Roomals, the papers in which have not been separately registered.
14,661 Total.

7. A suggestion, however, has occurred to the Committee for disposing of the records in a far less expensive, but in their opinion not less useful or efficient manner. They would recommend that, upon the Duftur being completed, the whole of the records belonging to each separate division of the Peshwa's dominions, which now form Collectorates of the British Government, should be made over to the Collector of the Zilla to which they refer, and to whom they would be of more service, and more frequent subject of reference, than to any person in the Poona Zilla. In the event of this suggestion meeting with the approbation of Government, a general register of all the documents in the Duftur should be kept by the Agent at Poona, and another among the the records of Government in Bombay, while extracts of so much as refer to the several Zillas should be made over with the records to the respective Collectors, the records belonging to the Commissioner in the Deccan being made over to the Agent for Sirdars, to whose office they more particularly belong, and those connected with the Revenue Survey, and which are also in the Poona Duftur, being deposited among the records of the Collectors' Offices of Poona and Sholapore, to which they refer. The expense under this arrangement would be confined to little more than the cost of transmitting the several documents to their destination.

8. If, however, it is the determination of Government to keep the records entire, and in Poona, a copy of the register must be furnished to Government, as above suggested, and, in addition to the outlay above mentioned, which

ought to be incurred in arranging the documents, the Committee could not suggest a better mode of preserving them than that they should be left with the Amanutdars. This, however, would entail a monthly expense of at least Rs. 110, as the Committee are of opinion that four Karkoons, one on Rs. 40, another on Rs. 20, and two others on Rs. 10 each, would be absolutely requisite to look after the records, with two Peons on Rs. 5 per mensem each, and two Furashes on Rs. 4 each, with a contingent allowance of Rs. 12 per mensem.

9. The Committee cannot conclude their report without recording their opinion of the care and trouble with which the Amanutdars have discharged their duty, so far as their labours have extended, and of the neatness and cleanliness with which those records which have been arranged are kept.

(Signed) R. MILLS,
Acting Agent.

„ W. E. FRERE,
First Assistant Collector in Charge.

Poona, 1st June 1839.

No. 2533 OF 1841.

POLITICAL DEPARTMENT.

To R. MILLS, Esq.,
Agent for Sirdars in the Deccan, Poona.

SIR,—I am directed to acknowledge the receipt of your letter No. 177, dated the 11th June last, forwarding the joint report of yourself and the Assistant Collector in charge, in regard to the future arrangement of the Poona Duftur.

2. In reply, I am desired to inform you that the delay which has taken place in the transmission of this report, as well as retention, without the express sanction of Government, of a portion of the establishment specified in the 9th paragraph of your letter, is considered by the Honorable the Governor in Council to be highly censurable.

3. As a necessity for the services of some additional Karkoons appears however to have existed for the purposes stated in the 10th and 11th paragraphs, the Honorable the Governor in Council is pleased to sanction the disbursement on that account, amounting to the sum of Rs. 1,727-10-8.

4. With reference to the question as to the disposal of the balance of the papers still unsorted, I am instructed to observe that many objections exist to the sale of such documents in the manner recommended in the 20th paragraph of your letter, and that to burn them without at least a partial inspection would be a measure to be regretted.

5. The Honorable the Governor in Council therefore considers that it would be preferable that the Amanutdars, with the assistance of the establish-

ment alluded to in the 24th paragraph of your letter, should look over these papers gradually, however long a period this process may occupy.

6. Adverting to the 21st paragraph, I am desired to convey to you the authority of Government to transfer to the several Collectorates the Zhurtees and Taleebunds appertaining to them.

7. For the separation of the assorted records, the Governor in Council conceives no extra assistance, in addition to the establishment alluded to in the 24th paragraph of your letter, can be required, and as the duties connected with the portion which will remain in the Poona Duftur have been provided for by the transfer of these Karkoons from your office, all extra expenditure should cease for the future to be incurred.

I have the honour to be, &c.

(Signed) D. A. BLANE,
Acting Secretary to Government.

Bombay Castle, 9th September 1841.

No. 77 OF 1842.

POLITICAL DEPARTMENT.

To the SECRETARY TO GOVERNMENT, Bombay.

SIR,—I have the honour to submit, for the consideration and orders of the Honorable the Governor in Council, the accompanying copy of a letter from the Superintendent of the Revenue Survey in the Southern Muratha Country, regarding the detention in the Poona Duftur of papers which should have been sent to him.

2. Previous to the receipt of this letter, a note from Mr. Goldsmid to Mr. Hart was handed to me by this gentleman, in which the former urges, in the strongest manner, the immediate adoption of measures to prevent those whose influence had kept back the papers alluded to, from tampering with them, which he said, from his information, he believed they would immediately do, if indeed they had not already done so, and that by delay the Government might lose "many thousands."

3. As Mr. Goldsmid did not name the persons to whom he alluded, and as the Government places its confidence in the Amanutdars of the Poona Duftur, it struck me as the best mode of at once avoiding the deprecated delay, and sheltering them from the consequences of the supposed fraudulent intention of those who execute their orders, to send my principal Native servant in the Agent's Department to the Amanutdars, with a memorandum suggesting, in consequence of the information that had reached me of papers destined for the Carnatic not having been sent there as directed, that all the papers that remained in the Duftur relating to that province should be immediately locked up in one room.

4. The Amanutdars adopted the measure recommended, and, in an interview I have since had with them, have expressed their obligations to me for having thus placed them in a position to satisfy the Government both of their honesty and of the actual condition of the records when Mr. Goldsmid's information reached Poona, which could not have been the case had I sent the memorandum in the ordinary mode—a mode which has let in the suspicions expressed by Mr. Goldsmid, and which would have afforded the very opportunity of tampering, of which advantage is supposed to have been taken to keep back papers the production of which would, in his belief, prove that "the Government has been defrauded of thousands upon thousands of rupees."

5. In adition to the papers relating exclusively to the Carnatic (I use the Duftur denomination), Mr. Goldsmid mentions, in his private note on this subject, that he wishes to search the diaries of the Muratha Government relating to the whole of the Peshwa's empire, in which are to be found entries of all Sunuds granted, recalled, and re-issued daily, and he thinks the true result of this search will only be obtained by taking the diaries out of the Duftur, and employing trustworthy Karkoons in a private house. As this would be breaking up the foundations of the plan by which the Government thought their records most secure, I will not venture to say more respecting it than that I think Mr. Goldsmid, if he could be spared in the monsoon, would be the best person to execute the purpose he has in view.

6. I trust the Government will approve of the manner in which I have acted in the very awkward dilemma in which Mr. Goldsmid's note placed me.

I have the honour to be, &c.

(Signed) JOHN WARDEN,

Agent's Office, Poona, 14th April 1842. Agent.

General No. 73.

To JOHN WARDEN, Esq.,

Agent for Sirdars, Poona.

SIR,—With reference to your predecessor's letter of 25th October last, No. 296, informing me that he had been instructed by Government to transfer to this department *all* the records then in the Poona Duftur relating to the Southern Muratha Country, I have the honour to bring to your notice that the documents forwarded with your Assistant's letter of 29th January, No. 30, consist for the most part of muster rolls of Sebundees, pay abstracts, ledgers, memoranda of receipts and disbursements, and other statements prepared only to answer the purpose of the day, and not affording any information that can be of the slightest service to the present Government, whilst I have every reason to believe that numerous documents, which it is of the greatest importance to the interests of Government should be made over to this department, have been detained at Poona.

2. I should, therefore, be exceedingly obliged by your having the kindness to inform me as to what papers connected with this province are still on your records, so that I may point out those which I wish to be forwarded to Dharwar. I should also be obliged by your being so kind as to make over to a Karkoon, who will be appointed by Mr. Hart for the purpose, the papers mentioned in the accompanying memorandum. You will, I believe, find that, with the exception of, perhaps, the रकमाकें, the whole of the papers specified have been so arranged that the person in charge of the Duftur will be able to at once place his hand on them, and make them over to the Karkoon.

3. In order that you may take such precautionary measures as you consider necessary, it may be as well for me to mention that a report is current here that no endeavours will be spared by the influential personages, whose interests will, it is supposed, be affected by these documents, to prevent my receiving them before they have been tampered with.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Supt. Rev. Survey and Assessment, S. M. C.

Supt.'s Office at Hooblee, Dharwar Collectorate, 2nd April 1842.

(True copy)

(Signed) JOHN WARDEN,
Agent.

No. 1078 OF 1842.

POLITICAL DEPARTMENT.

To JOHN WARDEN, Esq.,
Agent for Sirdars in the Deccan.

SIR,—I am directed to acknowledge the receipt of your letter No. 77, dated the 14th instant, forwarding copy of one from Mr. Goldsmid, Superintendent of the Revenue Survey in the Southern Muratha Country, stating that certain documents which should have been sent to him have been detained for improper purposes; and, in reply, to inform you that Government entirely approves of your proceedings on the occasion.

2. The Honorable the Governor in Council further desires me to acquaint you that Mr. Goldsmid has this day been instructed to repair immediately to Poona, for the purpose of selecting such papers as may be required by him. You will therefore be pleased to allow that gentleman free access to the Dufturs, and retain a list of the documents that may be taken by him.

3. In the mean time, you are requested to continue your precautionary measures to prevent these papers being tampered with, including the Rozkhirds or diaries, which should be sealed and locked up.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Secretary to Government.

Bombay Castle, 23rd April 1842.

No. 1079 of 1842.

Political Department.

To H. E. Goldsmid, Esq.,

Supt. Revenue Survey and Assessment, Southern Muratha Country.

Sir,—With reference to your letter No. 73, dated the 2nd instant, to the address of the Agent for Sirdars in the Deccan, regarding the detention in the Poona Duftur of certain papers which should have been sent to you, I am directed to transmit for your information a copy of my communication of this day's date to that gentleman on the subject.

2. In forwarding this communication, I am desired to request that you will immediately repair to Poona, for the purpose of selecting such papers as may be required by you, and to inform you that Mr. Warden has been instructed to allow you access to the Dufturs. You will be pleased to leave with that gentleman a list of the documents that may be taken by you, and Mr. Warden has been requested in the mean time to continue precautionary measures to prevent these papers being tampered with, including the Rozkhirds or diaries, which are to be sealed and locked up.

I have the honour to be, &c.

(Signed) J. P. Willoughby,
Secretary to Government.

Bombay Castle, 23rd April 1842.

No. 89 of 1842.

Political Department.

To the Secretary to Government, Bombay.

Sir,—In reply to your letter No. 1078, dated the 23rd of this month, I have the honour to state that I met the Amanutdars by appointment last evening at the Duftur palace, and they suggested, as the most effectual way of executing the wishes of Government, in respect to the papers relating to the Carnatic, which are scattered through the different rooms, that the Duftur itself should be locked up and sealed till Mr. Goldsmid's arrival, and which was done accordingly. I have apprised Mr. Goldsmid of this arrangement, and begged him to repair to Poona as expeditiously as he can.

I have the honour to be, &c.

(Signed) John Warden,
Agent.

Agent's Office, Poona, 26th April 1842.

No. 142 of 1842.

Political Department.

To the Secretary to Government, Bombay.

Sir,—In reference to the correspondence noted in the margin, I have the honour to submit, for the information of the Honorable the Governor in Council, copy of a letter received from the Superintendent of the Revenue Survey and Assessment in the Southern Muratha Country, dated the 1st instant.

Letter from the Agent, No. 77, dated 14th April 1842.
Reply to ditto from Mr. Secretary Willoughby, No. 1078, dated 23rd April 1842.
Letter from the Agent, No. 89, dated 26th April 1842.

2. I have resumed charge of the Duftur, entertaining the two Karkoons Bappoojee Rughoonath Bhut and Konher Dinkur Sohonee, alluded to in your letter No. 802, dated the 19th March last, on the salaries sanctioned for Duftur Karkoons under the Amanutdars, and will, when I shall have been favoured with Mr. Goldsmid's promised report, solicit the orders of Government on the management of the Duftur for the future.

I have the honour to be, &c.

(Signed) John Warden,

Agent's Office, Poona, 3rd December 1842. Agent.

To John Warden, Esq.,

Agent for Sirdars in the Deccan.

Sir,—I have the honour to forward a Murathee memorandum descriptive of the papers selected from the Poona Duftur, in obedience to the directions conveyed in Mr. Secretary Willoughby's letter of 23rd April last, No. 1079. Catalogues of the papers selected have been prepared, and will be forwarded to you by Mr. Robertson directly they are received from the binder.

2. I cannot sufficiently express my sense of your kindness in having, in the first instance, so promptly taken precautionary measures to prevent the abstraction of documents pending my arrival, and subsequently, for the long period I have been engaged at Poona, in having allowed me the opportunity of a full examination, although by so doing you at times seriously inconvenienced yourself.

3. On my arrival at Hooblee, I will lose no time in reporting to you the state in which I found the Poona records.

I have the honour to be, &c.

(Signed) H. E. Goldsmid,

Supt. Rev. Survey and Assessment, S. M. C.

Poona, 1st December 1842.

(True copy)

(Signed) John Warden,

Agent.

No. 3100 of 1842.

Political Department.

To John Warden, Esq.,

Agent for Sirdars in the Deccan.

Sir,—I am directed to acknowledge the receipt of your letter dated the 3rd instant, No. 224, and to inform you that the Honorable the Governor in Council approves of your having re-entertained the two Karkoons Bappoojee Rughoonath Bhut and Konher Dinkur Sohonee, on the salaries mentioned by you.

2. Mr. Goldsmid's promised report will be awaited by Government.

I have the honour to be, &c.

(Signed) J. P. Willoughby,
Secretary to Government.

Bombay Castle, 21st December 1842.

No. 46 of 1845.

Political Department.

From the Agent for Sirdars in the Deccan,

To the Chief Secretary to Government, Bombay.

Dated Poona, 28th February 1845.

Sir,—I have now the honour to hand over, for the purpose of being laid before the Honorable the Governor in Council, the accompanying copy of a report to my address, from Mr. Goldsmid, on the present state of the Poona Duftur; and hope the Government and the Honorable the Court of Directors will consider that compensation has been made by this officer, for the unavoidable delay that has occurred in the preparation of this paper, in the value and importance of his remarks.

2. It requires the quickness and clearness of Mr. Goldsmid, and his indefatigable energy in the prosecution of a task, however irksome, from which he believes the public interests can derive benefit, to carry out the plan he lays down in his 29th, 37th, 43rd, and other paragraphs, for ascertaining, and enabling others hereafter to ascertain, all the information which the Poona Duftur may afford on the subject of alienations of the public revenue by the Peshwa's Government; and when I recollect that, to these qualifications, he has added unusually great acquirements as a Murathee scholar, at the same time that his practical experience in the administration of public affairs in India has taught him the danger of trusting to Native subordinates, I am disposed to recommend that Mr. Goldsmid's services should be secured, at any cost, on his return from his projected short visit to England, to complete the examination he has so ably begun, and record its result.

3. The robbery alluded to in his 5th paragraph took place, I am told, within two months from the accession of the British Government. The disappearance of other papers which came under the review of Mr. Macleod may be partly accounted for by the early transmission to the Konkun (which from the time of its conquest was excluded from the authority of the Commissioner, and made subordinate to Bombay) of papers relating to that province.

4. In regard to Mr. Goldsmid's observations in his 9th and 10th paragraphs, I may mention that the Peshwa's Government was so well aware of the fact that "none but persons long conversant with the documents could know in what direction they should turn when searching for particular information," that the office of Duftur Karkoon was hereditary, and the son served his apprenticeship to it while his father was yet alive to teach him the mazes of the labyrinth; and the service of these persons was obtained by Mr. Elphinstone, and their honesty secured, by high pay and reversionary pensions,—one Rowjee Pensé still lives at Poona, and is referred to on doubtful points. Mr. Chaplin's safeguard was the appointment of a Canarese Brahmin from the Ceded Districts, who was not mixed up with the private interests of the Peshwa's subjects, to the office of Record-keeper, on a salary of Rs. 500 a month, and a reversionary Inam of Rs. 4,000 per annum. He, again, was succeded by his son, who now enjoys a pension of Rs. 400 a month; and so long as I had any connection with the Poona Duftur, I had, as I now have, a Canarese Superintendent; and if I had been in the Deccan when this plan was exchanged for that of delivering the Duftur into the hands of *Amanutdars* or depositaries, I should have taken the liberty of recording my earnest protest against such an imprudence, compared to which Mr. Bell's proposition of the lock and key appears wise.

I do not wish to speak with disrespect of these Native gentlemen, still less to connect them and the disappearance of papers mentioned by Mr. Goldsmid; but it was subjecting persons,—of whom one had risen in fame and fortune with the fall of the Peshwa's Government, and was an object of hatred to some and of envy to all, and another had followed Bajee Rao into exile, and only returned to his country after the lapse of several years, with an acknowledged and excusable prejudice against the British,—it was subjecting them to temptation to introduce them into a record office from which the public had till then been diligently excluded, and in which they might find the means of benefitting their friends and injuring their enemies; and it was with the strongest conviction that this step had been a false one that I incurred the responsibility, on receiving Mr. Goldsmid's first representation, of interfering, contrary to the orders of the Government, with the Amanutdars, and locking them out of their Duftur; and as the Government approved of the measure, I may now say that the occasion justified the abruptness of the act.

Mr. Goldsmid's suggestions in regard to papers already extracted from the

Poona Duftur do not seem to call for any remark from me; they will attract the attention of His Excellency in Council as he peruses the report.

I have the honour to be, &c.

(Signed) JOHN WARDEN,
Agent.

Poona, Agent's Office, 28th February 1845.

To JOHN WARDEN, Esq.,
Agent for Sirdars, Poona.

SIR,—With reference to the promise I made in my letter of 10th June last (to Agent for Sirdars, No. 43), I have now the honour to forward my observations on the state of the Poona Duftur. These would have been submitted some weeks since, had I not been prevented by the pressure of duties, consequent on my sudden removal from the Inam Committee to the office of Acting Collector.

2. Among the correspondence with which you favoured me, regarding the Poona Duftur, I find the following remarks, made under date 1st August 1836 (letter to the Acting Secretary with the Right Honorable the Governor, at Poona, No. 216 of 1836) by your predecessor, Mr. Bell :—

"I am not aware that any valuable information can be furnished from the old archives, as I have every reason to believe that all the valuable and useful papers have long since been abstracted, and as these old archives can now be of little use in the management of the country, I venture to recommend that they may be locked up, and the key kept with the Agent, who can either personally attend, or depute some trustworthy person, to open the Duftur whenever a copy of any paper may be required."

3. The remarks made by you on my arrival at Poona led me to believe that the surmise of Mr. Bell was erroneous. I have every reason to feel thankful, as regards the interests of Government and of the people, that these remarks encouraged me to avail myself of the facilities you so kindly afforded me for examining and selecting papers of importance.

4. The importance to Government of the records selected, the reports already forwarded by the Committee to Government, on claims to lands and villages, sufficiently show. They are of still greater importance as regards the people, and the opinion formed of the fairness and equity of Government by its subjects; for by means of these documents the Committee is enabled to report favourably on the title by which Inams are held by helpless claimants, who can show no written authority. As an example, I may quote a paragraph from a letter of the Inam Committee to Government, dated 23rd October 1844, No. 64, forwarding reports regarding two villages held free from assessment as hereditary Inams :—

"Although (the Committee observe) in one of these cases next to no evidence has been produced by the Inamdar, and in the other the occupant

has been unable to produce any evidence at all, the records in the hands of the Committee, especially those brought from the Poona Duftur,* have prevented the possibility of any wrong being done to the claimants. The Committee, therefore, in submitting these their first two reports on *bonâ fide* Inam villages, venture to solicit the attention of Government to the different nature of proof, both positive and negative, which the records must always furnish respecting good and faulty titles to such alienations, independent of the assertions of the claimants, or of whatever evidence they can adduce. This difference will at once be evident on contrasting the nature of the proof obtained regarding Hindusgeeree and Dewunkop, notwithstanding the helpless condition of their occupants, with that recorded in the Committee's reports already made on several villages held as Inam by the defective or fabricated titles which the claimants have endeavoured to support by both documentary and parole evidence."

5. The Amanutdars, in their Report dated 23rd September 1835,† quote your late Sheristedar as their authority for stating that "some of the papers were formerly stolen," and that in consequence of this, and other causes, it appeared to them very doubtful whether the records would be found correct according to the "original lists" (framed by the record-keepers on the establishment of the Commissioner of the Deccan).

6. The original lists here alluded to were not drawn out in a manner which would have enabled persons seeking information to ascertain what particular papers included in the lists were deficient. Some of the documents found among the archives contain allusions to others which are not forthcoming; but in most instances it is impossible to ascertain whether the deficiency occurred previous or subsequent to the records coming into the possession of the British Government. In some instances, however, portions of, and entire documents, which unquestionably were at one time in charge of the record-keepers employed by the Commissioner of the Deccan, have disappeared; but supposing they were intentionally made away with, it is fortunate that other authentic documents have been found in the Duftur to supply the deficiency, as far as the Carnatic‡ is concerned. On the other hand, "General Accounts," not included in a Memorandum prepared by Captain Macleod under date 29th May 1819, of the "General Accounts of the Carnatic to be found in the

* *Note by the Committee.*—"In the report on Hindusgeeree, of the forty-four records quoted in the 5th paragraph thirty-four are of the Poona, eight of the Dharwar, and two common to both Dufturs.

"In that on Dewunkop, of the sixty-nine records quoted in the 6th paragraph fifty-six are of the Poona, nine of the Dharwar, and four common to both Dufturs."

† Translation forwarded to Government by Agent for Sirdars, with letter dated 9th October 1835, No. 350.

‡ My search and examination of the records having been made solely with reference to the Southern Muratha Country, I am unable to state whether these remarks are applicable to records relating to other provinces.

Poona Duftur," were discovered by me among the records, and these additional accounts are evidently genuine.

7. It may probably be expected that I should offer an opinion regarding the manner in which the papers were arranged by the record-keepers employed under the Commissioner.

8. In the absence of any written explanation as to the point from which they started, and the time they took in arranging the records, it would be unfair to criticise their work; especially when we bear in mind that since it was completed the papers were thrown into considerable confusion, and that the subsequent assorting by the Amanutdars has necessarily involved such changes as altogether to set aside the original arrangement.

9. This original arrangement is explained by Captain Macleod, in his Memorandum* of 15th September 1819, to have been made as follows:—

"Since the formation of the Duftur establishment under the Commission, the Duftur has been completely examined and arranged into separate districts, and mostly also into Purgunas, and its arrangement by years also is in considerable progress."

Such traces, however, as remain are sufficient to show that the arrangement, though made with much care and trouble, had the fault common to the Native mode of assorting records; that is to say, that none but persons long conversant with the documents could know in what direction they should turn when searching for particular information, so that it was impossible for any newly appointed officer to ascertain whether or no the whole of the information contained in the records regarding any particular subject of inquiry had been furnished.

10. The inconvenience of such a mode of arrangement, however much it might be felt in after years, would not attract notice so long as the persons who had made, and were acquainted with it, were at hand to be consulted; but even then Government and parties interested in obtaining information were entirely at the mercy of these walking indexes.

11. Another most important omission on the part of the record-keepers under the Commissioner is, that no means were left by them for ascertaining the sources whence the various papers they had arranged were derived; consequently, with regard to many of the papers, it is now impossible to determine whether they had been originally found among the Peshwa's records, or afterwards collected by the Commissioner of the Deccan from different quarters.

12. The arrangement made by the Amanutdars for putting the records in order, though imperfect, appears to me to be as good as could be expected, considering the restricted amount of their establishment. Many of their catalogues are drawn up in a manner sufficiently in detail without being unnecessarily minute, and those which are too indefinite principally refer to

* Memorandum appended to the Honorable Mr. Elphinstone's Report on the Territories conquered from the Peshwa.

classes of papers, the contents of which could not have been exhibited in the catalogues without an examination much more detailed and difficult than their opportunities and establishment admitted of the Amanutdars making; indeed, as regards many of those classes of documents, the general catalogues must have been made before the Amanutdars could have entered upon others embracing more detail.

13. The following appear to me to be the chief defects in the arrangements of the Amanutdars:—

I.—That no means were taken to secure the identification of the papers in such a manner that others could not be surreptitiously substituted.

II.—That in the same bundles, and in the same catalogue, papers eminently useful were entered with others which ought to have been thrown on one side as not being of the slightest utility.

III.—That documents were put up as whole which were formed of parts, some of which parts are useful and others the contrary; each part being capable of easy separation, without at all affecting the integrity of those really important.

14. I.—As regards the want of means for the identification of papers, it will be readily understood that no catalogue, however complete, can secure the identification of the papers it refers to. For example, a paper containing the estimate of the revenue of a particular district for a particular year may be abstracted, and another substituted with the heading or preliminary paragraph and the different totals to tally with those of the abstracted document, whilst the items may be altogether different.

15. In paragraph 11 of the Government letter to the Agent for Sirdars in the Deccan, No. 1041, of the 4th September 1835, it was ordered that this facility for fraud should be prevented by the stamping of each paper with a seal engraved by Mint machinery, so as not easily to be imitated. Only a part of the correspondence regarding this seal is among the papers with which you favoured me, but it would appear from the Government letter of 19th April 1841 to the Agent for Sirdars in the Deccan, No. 1262, that the seal furnished by the Mint had been found useless (probably in consequence of the inscription having been too complex to be taken off with ink), and, consequently, that Government had ordered that one should be made "without loss of time by any common silversmith" at Poona. Government, in giving this order, observed that "It is of very little importance whether the seal is well or ill executed; in either case it will serve to authenticate the documents, which is all that is required."

16. With deference, I beg to observe that a seal made by a "common silversmith at Poona" could be imitated by any other of the same trade; and, therefore, that the stamping of papers with such a seal would be of no value as a precautionary measure.

17. Ultimately, the plan of stamping was virtually abandoned, Government deciding (letter to Agent for Sirdars in the Deccan, dated 14th October

1841, No. 3118) that even those papers which were to be transmitted to the different Collectorates need not be stamped before leaving the Duftur.

18. II.—As regards the cataloguing and arranging of useless as well as of important documents of the Amanutdars, Ballajee Punt Nuthoo was not residing at Poona during the time I was employed in the Duftur; but with the others I had occasional opportunities of conversing. They allowed the force of the objection I had urged, but pointed out that the evil was one which could at any after-time be remedied, and that they had not felt themselves at liberty to reject or to destroy any documents connected with the Duftur, as such rejection and destruction might afterwards have been misrepresented or misconstrued. And they also pointed out that they themselves could not have been constantly present during the assorting, and they would not have dared to delegate any such power of selection to their subordinates.

19. There are some of the documents which the Amanutdars were right in not authorising their establishment to reject, as though, from their headings and the upper items, the probabilities were that they might have been set aside as useless, some of them would, on detailed examination, have been found to contain entries of some importance,—for instance the "Nugdee Taleebunds" or abstract statements of cash transactions. Not one out of a hundred of these is of the slightest use; still in the hundredth there may be some entry which shows where facts of importance regarding grants, resumptions, &c. are to be found.

20. There are, however, other papers which might have been rejected in the most summary manner,—such, for instance, as muster rolls of Sebundees, pay abstracts, lists of contents of granaries, memoranda of fort stores, &c.

21. To show the number of useless documents put up by the Amanutdars, I may mention that of the three hundred and forty-three bundles, or fifteen tattoo-loads, sent me by them in February 1842, from Poona, the papers which ought to have been selected, as actually or probably useful, would fill about one hundred and eighty bundles,* sufficient to form a load for seven tattoos.

22. III.—The not having separated the important parts of documents of a mixed character from the portion altogether unimportant. The papers in which separation was most urgently required, and might have been most readily thus made, were the Rozkhirds and the Ghurneas.

23. The Hoozoor Rozkhirds or Peshwa's diary consist of three separate parts,—1*st*, the Pota; 2*nd*, the Rowasudgee; 3*rd*, the Duffeta. No two parts are written on the same fold, but the translations of each day form within themselves a whole.

24. The Pota is again subdivided into two parts, the Jumma and the Khurch, each of which is written on separate folds. The former is useful, as it contains entries of receipts in which reference is frequently made to the terms

* Including those referring to districts in the Madras and Mooghlaee territories.

and dates on which alienations of land and revenue were made, grants resumed, districts given in farm, &c. The Khurch portion is altogether useless, as it only shows, in minute and particular detail, the amount paid out of the Treasury on account of food, clothes, paper, alms, allowance to household troops, &c.

25. The Rowasudgee, in which are adjusted transactions connected with bills granted by Government in favour of its creditors, pensioners, &c. on different chiefs, local officers, and others, from whom public revenue was due, is useful, as containing references similar to those mentioned as appearing in the Jumma portion of the Pota.

26. The Duffeta was that portion of the diary in which all grants, resumptions, orders for farming districts and villages, appointments of revenue officers, &c. are noted.

27. The Khurch, or useless portion, exceeds by at least three-fourths the whole of the rest, and, being written on separate sheets, or rather folds, could readily have been set aside, and thus the bulk of the whole been diminished, and reference to the portion really useful facilitated. I may mention that the diaries which I brought with me from Poona of the officers employed in this province filled two hundred and forty-two large bundles, or twenty tattoo-loads, but by the rejection of the folds containing the Khurch entries they have been now reduced to twenty-five very large bundles, or three tattoo-loads.

28. The Ghurneas may be explained, in general terms, as containing, or being intended to contain, a classification, under their various heads, of the several details, useful and useless, to be found in the Rozkhirds and other accounts: useful, such as copies of Inam grants, lists of alienated villages, Wurshasuns, &c.; useless, such as clothing expenses, charges for food, pay to troops, &c. These Ghurneas fill two thousand six hundred and ninety-two bundles, many of them of a *very large* size. My selections of those containing useful papers, relating, some exclusively, and others partially, to this province, filled thirty *very large* bundles, and, to the best of my recollection, selections of all that is calculated to be of use in other provinces would not fill two hundred and fifty more; thus enabling the balance of useless matter, amounting to say two thousand four hundred bundles, to be destroyed.

29. There is a question for consideration,—viz. whether, by abstract statements judiciously framed, the necessity of constantly referring to the bulky documents of the Duftur might not be obviated.

30. The Amanutdars, in paragraph 7 of their Report* of 23rd September 1835, state that "The first apartment of the Duftur Palace is occupied with the Murathee records of the Agent's Court, and on inquiry of their nature from the Agent's Sheristedar, he informed us that they were abstracts of the Peshwa's Duftur, taken during the administration of the late Commissioner, together with statements, lists, and abstracts."

* To Agent for Sirdars. Translation forwarded by that Officer to Government, with his letter dated 9th October 1835, No. 350.

31. Captain Macleod, in his Memorandum above alluded to (paragraph 9), states that " Full and complete statements of all allowances, as Surinjam (Fouz and Zat), Tynat, and such like, have been made out, and also lists of all Inams, Dewusthans, and Suwusthans, Dhurmadaws, Kitta, Wurshasuns, Nemnooks, Khyrats, allowances to Peers and Fakeers and Mosques, Balpurwurshee, Maaf, Bukshish, Dehengee, Mezwanee, garden and Sunudee lands, Wutun lands of Zemindars for the Deccan, Carnatic, and Khandeish, and the Peshwa's provinces in the Nizam's country, which have also been translated, and forwarded in Murathee and English to the Collectors. Similar lists of the Konkun and Guzerat are in progress; the Dufturs of the Konkun for the last ten years have been sent to Bombay. Abstracts of the produce, deductions, and net revenue of the whole country, during the last year of Bajee Rao, have been framed by districts, Pugunas, and Mahals, and in more than half the country by separate villages. For the purpose of authenticating the above lists, each item has been compared with the accounts of the two different periods, viz. the latest in the Duftur from whence it was taken, and another of from fifteen to twenty years preceding; and very often three or four different periods of accounts have been compared. The accurate correspondence which has been observed among them is very remarkable. In many cases, the particular dates and circumstances of the original grants have been examined * * *."

Of these statements, lists, and abstracts, I have brought to Dharwar all exclusively or partially relating to the Carnatic.

32. The " lists of all Inams, Dewusthans," &c. are not explanatory of the terms on which the grants enumerated therein were made; and although they may embrace all the grants which appeared in such of the accounts as were forthcoming, and were deemed authentic at the time Captain Macleod drew up his Memorandum, they do not include many grants which other documents, undoubtedly genuine, now show to be unquestionably valid. The lists are also, unfortunately, deficient as showing neither the authorities, that is the particular records from which they were compiled, nor the dates of those records.

33. The abstract statements, though drawn up with great labour and care, are likewise imperfect as regards quotations of authorities and dates. Moreover, the want of any heading to some of these abstracts, and too much abbreviation in the items composing others, prevent the inquirer in after times from knowing what many of them were intended to show, until he perchance recognises them after arriving at the same conclusions by a laborious selection and collection of documents, probably the very same from which the abstract had been drawn out. The impression on my mind is that most of these abstracts were framed, not for the purpose of being useful at after periods, but rather as notes of reference prepared by the subordinate employés previous to explaining to the Head Karbaree, and by the Head Karbaree previous to explaining to the Commissioner and his Assistants, the facts elicited from an inspection of the records bearing on particular subjects

then under inquiry. I have also met with several rough, and now useless memoranda, which, apparently, were prepared to enable the framers of the abstract statement in question to refresh their memories as to the documents to which reference was to be made, in the event of the officer for whose information the statements had been drawn out inquiring as to the authorities for the facts therein stated.

34. The preparation at any general, or even at any local Record Office, of abstracts from the revenue documents relating to individual villages, or to individual Talookas, would not do away with the necessity of referring to those documents; as each case on which the documents bear has its own distinctive features, and some particulars which might not appear of importance sufficient to be embodied in a general abstract might yet be of the greatest importance as elucidating a particular subject of inquiry. Moreover, a simple catalogue would readily embrace information sufficient to enable an inquirer to lay his hand on the whole of the papers likely to assist him in his investigation regarding any particular case.

35. But there are papers of a more general nature, such as the Rozkhirds, Ghurneas, and Bheras, the important portion of the contents of which could not possibly be catalogued, but which might be and ought to be condensed in abstract and tabular statements, in such a manner as to enable an officer to ascertain, without the trouble and delay of visiting the Record Office itself, where in the original records there existed any entries throwing light on a particular subject regarding which he might happen to be inquiring.

36. Captain Macleod mentions in his Memorandum (quoted above, paragraphs 9 and 31), that "with a view to the final and ready adjustment of any disputed title, and to ensure immediate reference, an extract has been made from the Duftur, particularly the Rozkhirds, of the date and authority of all grants whatever, and of all forfeitures or restorations of grants from the beginning of the Duftur to the year 1776, and is now in progress towards the present time. It is arranged alphabetically by the names of the grantees, like Native Khutawnee, containing under each the date, circumstances, and particulars of all Sunuds, grants, or allowances that were made, resumed, or restored by Government. This has been a work of much labour, but, when finished, will form a table of authentic reference, by which any question or doubt which may at a future time arise can at once be settled."

37. From the Khutawnee or ledger I selected and brought with me to Dharwar all the folds containing entries regarding the Carnatic. The authorities for the different entries are not quoted, but most of them appear to have been drawn from the Duffeta portion of the Peshwa's diary. To render the compilation, which even in its present state is of considerable use, capable of answering the purposes indicated in paragraph 35, it is necessary that the entries should be carefully collated with those in the Jumma portion of the Pota and the Rowasudgee of the Peshwa's diary, as well as with the entries in the journals of the officers employed in the different provinces, as also with the Ghurneas,

Bheras, Aznases, and other principal accounts; and that extracts should be made from those accounts of all registries of grants, resumptions, &c. &c. which ought to have appeared in the Peshwa's Duffeta, but which, in consequence of the loss of some of the folds, and other circumstances, are not now to be found there. These added, a table of contents should be drawn out in such a form as would enable a person making reference to ascertain at a glance what particular districts, villages, &c. were affected by each entry.

38. Until such a compendium is prepared, great power must of necessity be delegated to the subordinate officers employed to search the principal documents for the entries on any subject, and the power is the greater that orders, grants, &c. recorded in one diary, Ghurnea, or Bhera, &c. may have been cancelled or modified in a subsequent one. The labour of search, also, is enhanced by the fact that it by no means follows that a Sunud of any particular date has been recorded under that date; indeed, very often the entry will be found recorded many days subsequent or previous to the date which the Sunud bears.

39. The Amanutdars cannot be held at all blamable for not having made any abstract or tabular statements, as their preparation would have occupied a larger establishment than they had at their disposal, and required a degree of personal superintendence which their own duties and avocations would have left them no leisure to bestow.

40. It now remains for me to notice the documents which have not been indexed or arranged by the Amanutdars. Some of these are in bundles, placed in upstair rooms sufficiently commodious and airy to prevent the chance of injury, and it is evident, from the labellings and sundry index lists, that several of them were examined, and, to a certain degree, arranged by the establishment of the Commissioner of the Deccan. There are also immense quantities of loose papers, with occasional bundles scattered among them, which I found in different rooms and closets, subject to damage from damp, vermin, &c.

41. Mr. Mills, in paragraph 18 of his letter No. 177, of 11th June 1841, appears to make no distinction between the loose and scattered papers and those better cared for; but states regarding the whole, that they are not likely to compensate for the trouble of search.

42. I examined *all* the better cared for bundles, and selected from them papers which filled eighty-six cloths; many of these papers have been found of particular importance. The papers rejected by me, and left at Poona as not containing any information bearing on the Carnatic (although many of them are important as regards other districts), filled 3,380 bundles.

43. The loose and scattered papers I had no time to examine, but I took the precaution of moving them into the best rooms I could find available, for the purpose of sealing up the doors, and of covering the open windows and lattice-work with cloths secured by seals. I took out, at random, some of the papers, and am convinced that though many of them are useless, enough would

be found to fully compensate the labour and expense of search; and I am of opinion that among them would be discovered many of the documents relating to the Carnatic which the Inam Committee have found to be deficient. It is almost needless to say that the state in which they are defies any hurried attempt at selection for the purpose of surreptitious abstraction.

44. I cannot help considering, as fraught with danger of many kinds, the measure adopted by Government of directing the Agent to send the selected papers of districts and villages to the head quarters of the different Zillas, before some provision has been made sufficient to guard against the possibility of fraud, either by abstraction and substitution of papers, or by affording facilities for persons preferring claims to shape their statements so that they cannot be controverted by the Duftur records.

45. It is true that Government, when deciding, as mentioned in paragraph 17, that the records need not be marked before leaving the Duftur, ordered that, after reaching the place of destination, the Collectors "should not allow them to pass into the records of their own offices until duly stamped in their presence, or that of an Assistant" (paragraph 3 of letter to Agent for Sirdars, dated 14th October 1841, No. 3118); but it might be worth while to ascertain *how far these instructions have been obeyed*, and it should be recollected that, even if they have been fully complied with, copies of the Collector's seal are generally multiplied for his Assistants, and that as they are used rather as a matter of form than as a means of authentication, they are often in the hands of the subordinates of the office, who, consequently, have ample opportunities of stamping any document which it may be intended to fraudulently introduce into the Duftur.

46. I would recommend the adoption of the suggestion, made by Messrs. Mills and W. E. Frere in their joint report* of 1st June 1839, for altering the size and arrangement of the numerous rooms and closets in which the assorted bundles of records are now placed; at present, unperceived entering from without can only be prevented by sealing up a large number of doors and windows.

47. In conclusion, I beg to repeat my warm acknowledgments for the precautionary measures taken by you previous to my arrival at Poona, and for the encouragement and assistance you subsequently so liberally afforded me.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Late Member of the Inam Committee.

Dharwar, 11*th February* 1845.

(True copy)

(Signed) H. E. GOLDSMID,
Late Member of the Inam Committee.

* Paragraph 6 of Joint Report forwarded to Government by Agent for Sirdars, with letter dated 11th June 1841, No. 177.

No. 4087 of 1845.

Political Department.

To John Warden, Esq.,

Agent for Sirdars in the Deccan, Poona.

Sir,—I am directed to acknowledge the receipt of your letter No. 46, dated the 28th February last, forwarding copy of a communication from Mr. Goldsmid, late Member of the Inam Committee, dated the 11th of the same month, submitting a report upon the present state of the Poona Duftur.

2. In reply, I am desired to inform you that Mr. Goldsmid is deserving of the thanks and commendation of Government for the zeal and interest which he has evinced in the examination and arrangement of these voluminous records.

3. Mr. Goldsmid, however, shows that much remains yet to be done to complete this examination, and to select from these records those of the greatest importance: as this, however, will entail considerable expense upon Government, since it would appear inexpedient to employ any but European agency upon this delicate and important duty, a reference is about to be made to the Honorable the Court of Directors for their instructions upon this subject.

4. In the mean time, I am instructed to request that every care may be used to prevent any of these important documents from being abstracted or tampered with, and no Native should be permitted to have access to the places where these records are deposited, except in the presence of his European superior.

5. With reference to the 3rd paragraph of Mr. Acting Secretary Blane's letter No. 3118, dated the 14th October 1841, I am desired to draw your attention to the 25th paragraph of Mr. Goldsmid's present report, and to request that you will be pleased to state how far the instructions of Government in regard to the stamping of the documents sent out of the Duftur have been acted upon.

I have the honour to be, &c.

(Signed) E. H. Townsend,

Bombay Castle, 25th August 1845. Secretary to Government.

No. 183 of 1845.

Political Department.

From the Agent for Sirdars in the Deccan,

To the Chief Secretary to Government, Bombay.

Dated Poona, 30th October 1845.

Sir,—In obedience to the orders conveyed in Mr. Secretary Townsend's letter No. 4087, dated 25th August last, I requested the Collectors to state how far the instructions of Government in regard to the stamping of the

documents sent out of the Poona Duftur have been acted upon, and I have now the honour to submit, for the information of His Honour in Council, the substance of the replies received from them.

1. The Collector of Sholapore, in his reply No. 388, dated 6th of last month, informs me that the documents transferred to his Collectorate were impressed with his seal in the presence of his Third Assistant.

2. The Collector of Rutnagherry acquaints me, in his reply No. 1058, dated 6th of last month, that the documents transferred to his Collectorate amount to 670,968, of which 3,859 were stamped at Poona; that he will now see that the remainder are properly stamped, and the whole placed entirely under the charge of his Dufturdar, in whose integrity he has every confidence, and that no one is allowed admission into the record-room except a Karkoon employed under his Dufturdar.

3. The Collector of Kaira, in his answer No. 123, dated 25th of last month, informs me that the documents transferred to his Collectorate were duly stamped in the presence of his predecessor, Mr. Kirkland, and are lodged in the Treasury as a separate Duftur.

4. The Collector in Khandeish, in his letter No. 985, dated 30th of last month, states that the records had been allowed to pass into his office without being stamped, and that he is unable to ascertain how this omission occurred; and that he would take immediate measures to have them delivered over to one of his Assistants, who will both sign and seal each paper.

5. The Acting Collector of Tanna, in his reply No. 1273, dated 1st of this month, states that the instructions of Government were not acted upon when the records of the Poona Duftur arrived, owing to his not being aware, until the receipt of my letter, of the existence of such instructions; that he has personally inspected the seals on the original packets which came from Poona, and there appeared to be no reason to believe they had been opened on the road. They have since, he informs me, been kept locked up, the key being in the custody of his Dufturdar.

I have the honour to be, &c.

(Signed) JOHN WARDEN,
Agent.

Agent's Office, Poona, 30th October 1845.

No. 5320 OF 1845.

POLITICAL DEPARTMENT.

To JOHN WARDEN, Esq.,
Agent for the Sirdars in the Deccan, Poona.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 183, dated the 30th ultimo, relative to the stamping of the Poona records transferred to the several Collectorates under

this Presidency, and in reply to observe that there appears to have been great remissness on the part of the Collectors of Rutnagherry, Khandeish, and Tanna, in not having attended to the orders of Government on this subject.

2. With reference to paragraphs 2 and 5 of your letter, I am desired to refer you to the 4th paragraph of Mr. Secretary Townsend's letter No. 4087, dated the 25th August last, directing that "no Native should be permitted to have access to the places where these records are deposited, except in the presence of his European superior," and to request that you will impress upon the different Collectors in whose offices these records are deposited the necessity of carefully attending to this order.

I have the honour to be, &c.

(Signed) J. P. WILLOUGHBY,
Chief Secretary to Government.

Bombay Castle, 24th November 1845.

INAM COMMISSION.

No. 3187 of 1848.

Territorial Department, Revenue.

To W. Courtney, Esq.,

Acting Secretary to Government.

Sir,—With reference to paragraph 4 of the Government letter dated 31st December last, No. 5465, I have the honour to submit a report from the Inam Commissioner, dated 1st July last, on his proceedings up to the end of 1847, which is so clear and full as to leave me but little to say in addition.

2. The first twelve paragraphs contain the history and origin of the Inam Commission up to the time reported on, exhibiting the extent of the abuses which called for its formation in a manner that needs no comment; the only subject for regret is, that a similar Commission does not exist in each Collectorate of the Southern Division.

3. The nature of the work done by the Commission is next (paragraphs 15, 16) explained, and in paragraph 17 three succinct statements are contained, exhibiting the work brought before the Commission up to the end of 1847, and the number of cases decided in that time. The number of claims recorded up to the end of 1847 was 15,954. The number reported by the Commission was 1,510, of which thirty-three were claims to entire villages. Considering that many of these claims required lengthened reports, and a careful sifting of old records, the work done by the Commission during the period reported on is, I submit, very creditable to the Superintendent's industry.

4. The Superintendent shows (paragraph 18) that he has collected numerous records, from both district and village officers, which will doubtless prove more or less useful. The Superintendent will not fail to take care of these documents, and they should, I submit, be punctually returned to their owners, when the occasion for retaining them has ceased. Several complaints have been made to me by hereditary officers, that old records produced by them before European officers have been permanently retained, and when once immersed in all the rubbish of a Collector's Kutcheree they are rarely afterwards discovered.

5. The expenses of the Commission during 1847 are shown in paragraph 19. Mr. Hart estimates the value of Inams recommended for resumption at

Rs. 18,623 of annual income. With his postscript of 13th July the Commissioner forwards three tables, which afford the following information:—

Expense of the Inam Commission since its institution.....Rs. 66,395
Revenues recovered by its labours 40,748

two years of whose proceeds would thus cover the expenses of the Commission.

6. Mr. Hart shows that under the present system his work will be tedious, and the probable period of its completion is uncertain: were it much facilitated in its work, it would, I fear, be no easy matter for this department to dispose of all its cases as they arrived.

I have the honour to be, &c.

(Signed) E. H. Townsend,
Revenue Commissioner Southern Division.

Revenue Commr.'s Office, Poona, 3rd October 1848.

No. 597.

To D. A. Blane, Esq.,
Revenue Commissioner Northern Division, in temporary Charge Southern Division.

Sir,—In pursuance of the instructions contained in the Government letter to the Revenue Commissioner Southern Division, No. 5465, dated 31st December 1847, an extract from which (paragraphs 1 to 4) accompanied Mr. Townsend's endorsement to my address, No. 28, dated 5th January 1848, I have now the honour to report the progress of the Inam Commission's labours up to the close of 1847. As this is the first report of the kind yet submitted, it may be well that it should furnish some general recapitulation of the circumstances which have led to the constitution of the Commission, as well as of its occupation during the past year only; and I therefore propose to touch briefly on the following topics, viz:—

Paras. 2 to 12. I.—The circumstances which led to the appointment of the Inam Commission as at present constituted.

Paras. 13 to 18. II.—The nature of its duties, and the progress made in their fulfilment especially, during the past year.

Paras. 19 and 20. III.—The expenses of the Commission, and the effect of its work of last year on the revenues of Government.

Para. 21. IV.—The probable period of the completion of its investigations.

2. It has long been notorious that numerous portions of the Mahals in the Southern Muratha Country have become alienated from Government, as Inam, in an unauthorised and fraudulent manner. Various attempts were made by the Peshwa's Government to check this abuse; but, as was to be expected in districts so remote from the seat of Government, so constantly subjected to change of management, so incessantly vexed by invasions and rebellions, by the depredations of plundering adventurers, and by the quarrels and consequent

ravages of the Jagheerdars and great officers who held them, and so mismanaged by dishonest Komavisdars, these attempts always failed, and the unauthorised proceedings by which land was alienated from the State became more and more frequent with the progress of the mismanagement and anarchy which reached their height during the reign of Bajee Rao, the last Peshwa.

3. When Sir Thomas Munro took possession of the Southern Muratha Country in A. D. 1817-18, he noticed the abuses which existed with respect to the fraudulent acquisition of Inams, &c. as well as to their unauthorised resumption; although, so long as he retained charge of the province, it was in a state too unsettled to admit of these being deliberately rectified.

4. For instance, when writing to the Honorable Mr. Elphinstone, in a letter dated 8th March 1818, in camp near Belgaum, he says, on the subject of charitable and religious expenses in these districts:—

"A large portion of them will be found to have arisen from unauthorised grants and other frauds. The whole should be carefully investigated after peace is restored and the country settled, and such part of the expenditure as is of modern date, and not duly authorised, should be stopped. This course is followed by the Native Governments at every new succession, and frequently more than once in the same reign."

Again, in a letter to Mr. Elphinstone dated 28th August 1818, he writes,—"Many Inams will be found on examination to have been given clandestinely by revenue officers without authority. Every one, from the Kurnum of a village to the Sursoobah of the Carnatic, grants both lands and pensions. The Sursoobah or his deputy, when he is about to quit his office, fabricates a number of Inam Sunuds; he gives away some and sells the rest. The new Sursoobah resumes some, but continues a part of them. When such Inams have not by long possession become in some degree the fair property of the possessors, they ought to be resumed."

5. In A. D. 1819, the year following that in which the above letter was dated, Mr. Elphinstone, as Commissioner in the ceded and conquered provinces, prescribed some rules for the settlement of Inam claims. In the letter with which these rules were circulated he stated that it was not intended that any general scrutiny should *at once* be commenced, and indeed he did not seem to consider his rules as yet altogether perfected; for in the same letter he requested his subordinates to offer any questions and suggestions that might occur to them on the subject. That, however, he even then looked forward to a more extended scrutiny of Inam claims, and well knew its necessity, is evident from another paragraph of the letter already alluded to, in which he writes:—"When our system is more matured, perhaps a year hence, it will be expedient to add, as a further reward to officers discovering recent fraudulent alienations, a grant of the revenue of the year in which the resumption takes place."

6. The first general scrutiny commenced after the introduction of the

present Government was that instituted by Mr. Thackeray, Principal Collector of Dharwar, whose death at Kittoor prevented its completion. Since then, inquiries have been resumed at times by several Collectors and their Assistants; but their proceedings have always been desultory, and the decisions consequent on them isolated; and though every Collector has assented to the necessity of a thorough investigation, and some have even commenced to make one, none such was ever completed, nor was ever any general register of the alleged titles of the lands held as Inam ever drawn up, the only one commenced having been abandoned before completion. All this was to have been expected, from the insufficiency of European officers which was always experienced in the new Collectorates, or, rather, from the want of a particular office specially appropriated to the settlement of the enormous number of alleged Inams in existence; for it is probable that if half the amount of labour which has been expended by constantly changing Collectors and their Assistants, each desultorily working at his own plan, had been concentrated and methodised by such an office, a tolerably complete settlement might have been long ago effected.

7. There was, however, another and an essential deficiency in all the investigations commenced, which has certainly in some cases vitiated the decisions passed on them, not only by local officers but by the Bombay Government and the Honorable Court of Directors. I allude to the necessity which existed of wholly trusting for evidence to the assertions of interested persons, either unsupported, or supported only by accounts lately given in by them or lately obtained in these districts, for the genuineness of which there could, of course, be no guarantee. *The Peshwa's Duftur* was then virtually inaccessible, and almost unknown.

8. On the appointment of Mr. Goldsmid as Superintendent of the revised Revenue Survey and Assessment in this province, he was naturally startled by the enormous proportion of land alienated in the shape of Inams, &c. in the two Collectorates of Dharwar and Belgaum. *Besides* the *whole Mahals* entirely assigned as Jagheer and Surinjam, he found about *seven hundred entire villages* alienated *out of the Khalsat Mahals* of both Collectorates, and in the balance of 2,452 villages left for Government, and *Khalsat* by *denomination*, he estimated the number of minor alienations at about sixty thousand estates*; the share left for Government, even in these its Khalsat villages, not averaging one-half thereof!

9. On Mr. Goldsmid commencing to investigate the origin of this extraordinary and almost incredible state of things, he was able to collect information and accounts from different quarters which tended to show that many of the multitude of alleged Inams in this province were surreptitious alienations, and being aware of the immense importance of the Poona Duftur as evidence

* The Inam Commissioner's returns show that they then amounted to 59,967. But the lapse of Tasgaum, &c. will greatly increase the number to be inquired into.

on this subject, he as long ago as the 25th September 1841 suggested to Government the expediency of taking additional measures of precaution lest the Poona records should fall into the hands of the local revenue officers here before being carefully examined.

10. Government, on the 7th October 1841, in a letter, No. 3001, in the Territorial Department, assented to Mr. Goldsmid's suggestions, and he was subsequently deputed to Poona to collect and make arrangements for the safe custody of the records relating to the Southern Muratha Country, a duty which he had completed, as far as it was then possible, by the end of A. D. 1842.

11. Being in possession of these important records, and so far prepared to investigate, under more favourable circumstances than had fallen to the lot of any other officer, the numerous claims for Inams in this province, the Superintendent wrote to the Revenue Commissioner Southern Division his letter No. 131, dated 9th February 1843, and subsequently to Government his letter No. 178, dated 4th May 1843, the result of which was the appointment, by the Chief Secretary's letter No. 2054, dated 16th June 1843, of a Committee, composed of Mr. Goldsmid, and Moro Punt, Principal Sudder Ameen, for the purpose of investigating the titles of persons holding villages and lands as Inam in several of the Talookas of this province.

12. On the 17th January 1844, in conformity with the Chief Secretary's letter to the Revenue Commissioner Southern Division, No. 195, I was added to the above Committee; but subsequently, owing to the successive removal of my colleagues, was, in November 1844, left unassisted in the investigation until September 1847, when Captain M. F. Gordon was appointed to assist me.

13. Such is a brief sketch of the circumstances which led to the Inam investigation, and the present constitution of the Commission appointed to conduct it. I shall next describe the extent and nature of the duties which this Commission has had to perform.

14. On the 16th June 1843, Government, in the Chief Secretary's letter No. 2054, directed that the Inam inquiry should be commenced in the Talookas of Hooblee and Nowlgoond. On the 16th September following, investigation was, by the Chief Secretary's letter No. 3035 of 1843, extended, so as to include titles to Inams consisting of whole villages in the other Talookas of the Southern Muratha Country, and on the 17th January 1844, by the Chief Secretary's letter No. 195, to all Inams in that province; to which was added the duty of reporting on the emoluments, &c. of village and district hereditary officers. On the 29th July 1845, the Commissioner's duties were, under orders from the Honorable the Court of Directors, communicated in Mr. Secretary Townsend's letter No. 3693, again confined to the Talookas of Hooblee and Nowlgoond; but, on the 28th April following, they were finally extended to the whole Southern Muratha Country, under orders

from the Honorable Court,* intimated in the Government letter No. 2144 of 1846.

15. The work performed by the agency of the Inam Commission since its establishment has principally consisted in receiving the statements of Inamdars, and recording the evidence by which they are supported; translating and submitting these statements for the decision of Government; investigating and reporting on miscellaneous matter referred by Government and various officers as likely to be elucidated by the Peshwa's records; and reporting, in conjunction with the Superintendent Revenue Survey, on the condition and proposed settlement of the village and district hereditary officers and service establishments.

16. During the period intervening between the 26th May and 20th November 1847, instead of reporting each case for the decision of Government, I myself, under the authority deputed to me by the Chief Secretary's letter No. 1900 of 1847, passed decisions, subject to appeal; but in consequence of Government being led to doubt the legality of this mode of procedure, I have, since the last of the above dates, under orders conveyed in the Government letter No. 4835 of 1847, reverted to the system of reporting each case as before for the decision of Government, my reports being, however, now submitted through your department, instead of direct.

17. The following tables will show the proportion of work completed by the Inam Commission last year, as compared with those preceding:—

TABLE I.

Number of Claims to Inams received and recorded, up to the close of A. D. 1847.

Nature of Claims.	Up to close of 1846.	In 1847.	Total.
Whole villages as Inam	60	23	83
Estates in Government villages	14,025	1,846	15,871
Total..	14,085	1,869	15,954

* The orders of the Honorable the Court of Directors here alluded to were contained in paragraphs 14 to 18 of a letter, No. 25, to the Government of Bombay, dated 18th February 1846, in which they direct the extension of the Inam investigation to the whole of the Southern Muratha Country, recognising the decisions of Government on the Commission's reports then submitted to them as "based on just and liberal principles," and repeat their "approbation of the spirit in which the Commission had commenced their inquiries," hoping that the further investigations of the Commission, and the decisions passed thereon, might be "characterised by the same spirit of liberal consideration towards the occupants as marks those which have been reported," &c.

TABLE II.

Number of Claims disposed of by the Inam Commission before the close of A. D. 1847, *whether by Report to Government or by Decisions passed under the authority conveyed in the Chief Secretary's letter No.* 1900 *of* 1847.

Nature of Claims.	Claims disposed of up to the close of 1846.			Claims disposed of in 1847.		
	By Report.	By Decision.	Total.	By Report.	By Decision.	Total.
Claims to whole villages as Inam	12	..	12	10	11	21
Claims to estates in Government villages....	850	..	850	..	627	627
Total..	862	..	862	10	638	648

TABLE III.

Number of Claims on which the Decisions of Government were declared, up to the close of A. D. 1847.

Nature of Decisions.	Up to the close of 1846.	In 1847.	Total.
On claims to whole villages as Inam.....	8	4	12
On claims to estates claimed as Inam in Government villages	850	..	850
Total.....	858	4	862

18. Besides the work mentioned in the above tables, a good deal of work of other descriptions has been effected up to the close of the past year. Classified lists have been made of the Inams in each Talooka, which, from the death of the holders or other causes, have been referred to the Inam Commission by the Collectors of Dharwar and Belgaum as seeming to require especial attention. The cases thus filed and arranged for decision amount to two thousand eight hundred and sixty-eight. Large quantities of records have been collected from the district officers of the Belgaum and Dharwar Collectorates, and from the village officers throughout the whole Southern Muratha Country, which, though not very trustworthy, will be of use so far as they are corroborated by more authentic accounts; and as each district and village officer has furnished a declaration that he has kept back none, the collection of them will, at least, prevent the danger of a future fabrication of ancient "accounts" by the officers in question. This work is still in progress. Statements of the

village officers in several Talookas have also been taken, and are still being received, regarding the Dewusthan establishments of their villages; classified lists have been prepared of all lands held as Inam in each Talooka of the Belgaum and Dharwar Collectorates; village lists, showing the extent, value, &c. of each Inam in each village of the Dharwar Collectorate, and the history of its continuance since the introduction of the present Government, have been completed, and the preparation of similar lists commenced for the Belgaum villages. Information has been afforded on various references from Government, the Revenue Commissioner, the Resident at Sattara, the Political Agent Southern Muratha Country, and the Collectors of Dharwar and Belgaum. Some of the cases in which such references have been made were of much importance,—as, for instance, those of the Nurgoond Chief's application for leave to adopt, and the question as to the resumption of Deevee Sing Thokey's holdings in Khandeish, in which the Honorable the Court of Directors was evidently about to relinquish its rights solely for want of the clear evidence regarding them which has now been furnished by the Peshwa's records.

19. The cost to Government of the Inam Commission in A. D. 1847 will appear from the following statement:—

Expenses of the Inam Commission in A. D. 1847.

Items of Expenditure.	Amount Sanctioned.			Amount actually Expended.			Excess of Actual Expenditure above the Amount Sanctioned.			Saving effected on the Amount Sanctioned.		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
Inam Commissioner.....	15,543	2	9	15,543	2	9	....			....		
Assistant ditto.....	1,869	10	10	1,869	10	10	....			....		
Contingent office expenses.	374	12	9	374	12	9	....			....		
Dead stock ditto.....	17	3	0	17	3	0	....			....		
Batta to witnesses, &c.....	128	15	2	128	15	2	....			....		
Office rent	200	0	0	200	0	0	....			....		
Pay of establishment....	9,600	0	0	7,292	1	4	....			2,307	14	8
Total....	27,733	12	6	25,425	13	10	....			2,307	14	8

20. As only a small number of the Inam Commission's decisions passed and reports made in 1847 have yet been revised by Government, according to the intention intimated in the Government letter to the Revenue Commissioner Southern Division, No. 4835, dated 20th November 1847, it is impossible to make an accurate statement of their effect on the income of the State; but I calculate that it will be to add to them a permanent annual revenue of upwards of Rs. 18,000,* of which about half will probably be an immediate addition,

* The total annual revenue of alleged Inams shown by the Inam Commissioner's reports and decisions in A. D. 1847 to be *improperly held* is estimated at Rs. 18,623. Of these the Inam Commissioner's decisions declared a number, valued at Rs. 3,054 per annum, continuable as

and the rest will lapse at the death of present incumbents, the average age of whom is forty-three years. The effect of this will be the same as if Rs. 1,80,000 of the Honorable Company's most disadvantageous debt were to be *at once* paid off *without taking into account the deferred addition*, the exact value of which I am not capable of determining. This would be a startling effect, considering the insignificance of the machinery by which it has been accomplished, were it not for the amazing manner in which unauthorised alienations of land in this province have always been allowed to exist and increase, for want of any sufficient system of supervision or inquiry.

21. Regarding the probable period of the completion of the work of the Inam Commission, I can form no estimate under present circumstances. But unless some means be adopted for obviating the necessity of reporting each case in detail for the orders of Government, very many years must elapse before it is accomplished. The second table in paragraph 17 shows that the "decisions" which I was enabled to pass in A. D. 1847 comprised claims to six hundred and thirty-eight Inams. These were all completed between May and November, so that in that period of six months I was able to dispose of a number of cases exceeding two-thirds of the number which had been the result of the Inam Commission's labours during the preceding three and a half years. This was chiefly owing to an arrangement by the Revenue Commissioner of the Southern Division dispensing with English translations in any of the cases finally adjudicable by him, under the provisions of the Chief Secretary's letter, No. 1900 of 1847, which Government has since felt obliged to recall, and the renewal of some such provisions as soon as they can be legalized seems peculiarly desirable.

22. I have to apologise for not submitting this report before now, but I was anxious, before doing so, to be able to make some conjecture as to when I should have prepared reports of the six hundred and thirty-eight decisions passed by me as above for the revisal of Government. These reports have now been completed, and I hope will be transcribed and forwarded to you by the end of this month.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Dharwar, 1st July 1848.

POSTSCRIPT.

1*st*.—The following tables will afford an approximation to the financial result of the investigations of the Inam Commission from *its first institution* up to the close of 1847. They are added to the above report in conformity

life-holdings, and a portion, valued at Rs. *9,309*, as subject to immediate resumption, leaving the remainder, valued at Rs. 6,260, for the special consideration of Government, to be either continued as life-holdings or resumed at once, as might be judged expedient.

with the desire of the Revenue Commissioner, intimated in his Memorandum No. 2015, dated 7th July 1848.

2nd.—It will be seen that the total expense incurred by Government for the Commission, up to the end of last year, amounts to about Rs. 66,400, and that as a set off against the annual interest at five per cent. on the sum thus sunk, viz. Rs. 3,320, a permanent annual revenue of upwards of Rs. 40,000 is to be ultimately recovered by Government, the greater portion of this being at once available, and the rest to lapse at the death of present occupants, whose average age is forty-three years.

TABLE I.

Statement of Total actual Expense of the Inam Commission since its institution.

Items of Expenditure.	Up to end of A. D. 1846.	In A. D. 1847, as shown in paragraph 19.	Total.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Salary and all personal allowances of Members of the Commission, and Inam Commissioner	22,083 11 4	15,543 2 9	37,626 14 1
Assistant ditto	.....	1,869 10 10	1,869 10 10
Contingent office expenses	1,117 1 8	374 12 9	1,491 14 5
Dead stock ditto	107 15 0	17 3 0	125 2 0
Batta to witnesses and sanctioned gratuities	153 10 4	128 15 2	282 9 6
Office rent	49 10 10	200 0 0	249 10 10
Pay of establishment	17,084 3 11	7,292 1 4	24,376 5 3
Expenses connected with custody of Poona Duftur and repairs to Duftur room	372 14 2	.....	372 14 2
Total	40,969 3 3	25,425 13 10	66,395 1 1

TABLE II.

Estimate of Total Revenues belonging to Government recoverable in consequence of the Investigations of the Inam Commission, up to the end of A. D. 1847.

Item recoverable.	Up to end of A. D. 1846.	In A. D. 1847, as stated in Note on para. 20.	Total.
	Rupees.	Rupees.	Rupees.
Amount of annual value of unauthorised alienations discovered by the Inam Commission, as recorded in reports to Government and decisions subsequently reported	22,125	18,623	40,748

TABLE III.

Specification of the Total Sum of Rs. 40,748 entered above in Table II. of Postscript.

Specification of Value according to mode of procedure adopted.	Under Government Decisions, passed up to the end of A. D. 1847.	By Inam Commissioner's Decisions, passed under the authority of the Government Letter No. 1900 of 1847.	Total.
	Rupees.	Rupees.	Rupees.
Annual value of lands ordered for immediate resumption	15,025	9,309	24,334
Annual value of lands allowed to remain rent-free during the lives of present incumbents.....	7,100	3,054	10,154
	22,125	12,363	34,488
Add the annual value of unauthorised alienations in cases submitted in the first place for the consideration of Government, and not yet referred to either of the above two heads			6,260
		Total.....	40,748

(Signed) W. HART,
Inam Commissioner.

No. 6522 OF 1848.

TERRITORIAL DEPARTMENT, REVENUE.

To E. H. TOWNSEND, Esq.,
Revenue Commissioner Southern Division.

SIR,—I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter of the 3rd instant, No. 3187, handing up the first annual report of the Inam Commissioner on his preceedings to the close of 1847, submitted by that officer in conformity with the instructions of Government contained in Mr. Secretary Goldsmid's letter to your address, No. 5465, dated the 31st December last.

2. In reply, I have been desired to state that though there is little in this report calling for particular remarks or observations, the progress made in the investigation of Inam claims during the period reported on is very creditable to Mr. Hart, and the results appear to Government eminently satisfactory.

3. His Lordship in Council observes that the number of claims to Inams

received and recorded in the year under report (1847) was 1,869: of these 23 were to whole villages, and 1,846 to estates in Government villages; the number of cases disposed of during the same period was 648,—21 of which were for whole villages, and 627 for estates in Government villages.

4. At paragraph 20 of his report, the Inam Commissioner explains that owing to the whole of the decisions passed by him in 1847 not having yet been reviewed by Government, he is unable to make an accurate statement of the result as affecting the revenues of the State; but that he calculates it will be to add a permanent annual revenue of upwards of Rs. 18,000. The total cost of the Inam Commission for 1847 was Rs. 25,425-13-10.

5. The report of the Inam Commissioner also exhibits similar results for the whole period of the Commission's labours from its commencement to the close of 1847. He shows that the number of claims received and recorded was 15,954, the total number disposed of 1,510, the financial result in revenue belonging to Government, recoverable in consequence, Rs. 40,748 per annum, and the total cost of establishment, &c. Rs. 66,395-1-1.

6. The Governor in Council notices that Mr. Hart has given no estimate of the probable period of the completion of the work, and he states his inability to do so under present circumstances. I am instructed to request that he will, if possible, in future reports, furnish some account of the number of claims still remaining for investigation, even if unable to state when his inquiries will probably be completed.

7. I have been desired, in conclusion, to inform you that His Lordship in Council considers that the Inam Commissioner is entitled to the commendation of Government for his exertions during the year under report.

I have the honour to be, &c.

(Signed) W. COURTNEY,
Acting Secretary to Government.

Bombay Castle, 25th October 1848.

No. 832 OF 1846.

TERRITORIAL DEPARTMENT, REVENUE.

To R. K. PRINGLE, Esq.,
Chief Secretary to Government, Bombay.

SIR,—I have the honour to submit a correspondence, as per margin, with the Collector of Broach, relative to the investigation of the titles to Inams in that Collectorate.

From the Collector, No. 61, of 27th February 1846.
To ditto, No. 398, of 5th March.
From ditto, No. 130, of 20th April.
To ditto, No. 714, of 25th idem.
From ditto, No. 159, of 8th May.

2. An investigation of the nature in question involves much labour in the details, such as the preparation of statements, registration and copying of deeds and other papers, &c. exclusively of the portion of the

inquiry to be necessarily conducted in the presence of the European officer, and these details would, I conceive, be found to require the assistance for a time of additional Karkoons for that specific duty.

3. In the present instance, however, the ability of the Collector or his Assistant to undertake the continuous prosecution of the inquiry is not, it would seem, to be depended upon, and the increase of establishment under such circumstances would probably be of little avail. I hesitate, therefore, for the present, to recommend the additional Karkoons applied for, but bring the subject to the notice of Government, in order that the provision, when found to be practicable, of the necessary European agency for effecting this investigation, may receive their consideration.

I have the honour to be, &c.

(Signed) D. A. Blane,
Revenue Commissioner Northern Division.

Revenue Commr.'s Camp, Bombay, 13th May 1846.

No. 227 of 1847.

Territorial Department, Revenue.

To R. K. Pringle, Esq.,
Chief Secretary to Government, Bombay.

Sir,—I have the honour, with reference to the Government letter No. 809, of 26th February 1846, relative to the validity of the titles to lands and other allowances in the Broach Zilla, to submit a letter, No. 32, of 3rd instant, from the Collector, reporting his proceedings in the investigation in question.

2. The Collector expresses (paragraph 6) his opinion that the inquiry may be conducted without the aid of the additional establishment applied for by his predecessor, relying on the operation of the instructions that no new succession is to be permitted without express authority.

3. There is, however, one point, viz. the Interpretation of Regulation VI. of 1833, on which I am doubtful of the correctness of the view taken by him, and would beg, therefore, to be favoured with the instructions of Government thereon.

4. Referring to the statement accompanying his letter, the Collector appears to assume the applicability of the Rules of the 23rd June 1842, to the exclusion of the thirty years' limitation in the abovementioned Regulation; for instance,—

Case No. 1.—The land has been held free of assessment for more than thirty years, and is in the hands of a mortgagee, there being no heir male to the grantee in whose name the land is entered. The Collector thinks the land will revert to Government, or, as I understand him, that it may be assessed either on the death of the mortgagee, or of the widow of the gran-

tee, should she redeem the mortgage. This could only be done by a notice in accordance with the Regulation, when the question would be decided in the regular course; and as the period in the Regulation has already transpired, such decision need not, perhaps, be anticipated. But in the other cases, the period of occupation by the actual incumbents is still incomplete, and if, as I suppose, thirty years' actual enjoyment would, under the Regulation, be fatal to the Government claim to assessment, care must be taken that the inquiry be not too long delayed.

5. The questions which appear to me to arise are as follows:—

I.—Would not proof of exemption from assessment for more than thirty years entitle a mortgagee and his heirs to enjoyment until the mortgage be redeemed, irrespectively of there being heirs or otherwise to the original grantee ?

II.—Are not devises or assignments by the original grantee, or his heirs, or by any actual incumbent possessing the title of thirty years' exemption, sufficient, as well as direct succession from the same parties, to bar either a lapse to Government or resumption on decease of the incumbent, under the Rules of the 23rd June 1842 ?

6. A decision on these points would enable the Collector more readily to discriminate, on a summary inquiry, in what cases early cognisance is of importance, and in what the investigation may be allowed to lie over until the next decease of the actual incumbent.

I have the honour to be, &c.

(Signed) D. A. Blane,
Revenue Commissioner Northern Division.

Rev. Commr.'s Camp, Surat, 13th February 1847.

No. 1219 of 1847.

Territorial Department, Revenue.

To D. A. Blane, Esq.,
Revenue Commissioner Northern Division.

Sir,—In acknowledging the receipt of your letters Nos. 832 and 227, dated respectively the 13th May and 13th February last, forwarding a correspondence with the late and present Collectors of Broach, on the subject of a proposed investigation of the titles to Inam lands and other allowances in that Collectorate, I am directed by the Honorable the Governor in Council, with reference to paragraph 3 of the first-quoted letter, to observe, that as it does not appear that the Collector can proceed with this duty on a general and systematic plan, especially with the present deficiency in the complement of his Assistants, nothing would be gained by giving him an extra Native establishment for that purpose.

2. As, however, His Honour in Council has reason to believe that some investigation into Inam titles was made by a Special Commission at the period of Major Monier Williams' Survey between 1808 and 1813, you are requested to call upon the Collector to ascertain and report, for the information of Government, whether any such investigation actually took place, and if so, what was its extent and nature.

3. With advertence to paragraph 3 *et seq.* of your letter No. 227, dated the 13th February last, I am desired to convey to you the following instructions on the points connected with rent-free titles submitted by you for decision.

4. In so far as the Rules of the 23rd June 1842 differ in their operation from those laid down in Regulation XVII. of 1827, and other Regulations bearing on it, the latter must be adhered to in all districts except Khandeish, the Deccan, and the Southern Muratha Country.

5. Mortgage being a temporary tenure, the validity of the title must be determined with reference to the claims of the original and permanent holder.

6. Devises or assignments by an original grantee or his heirs, to another party, should not bar the Government right of escheat as respects the former, unless they have been made with the sanction of Government and without reservation, in which case the family of the assignee may be considered as having come into the place of that of the original grantee.

7. In conclusion, I am instructed to inform you that the Governor in Council considers it very desirable to ascertain exactly in what position the proceedings for investigating the validity of rent-free titles stand in the several Collectorates under your control, as it is to be apprehended that if no regular inquiry has ever yet been instituted on the subject, the prosecution of it may soon be barred altogether by the elapse of the regulated time of prescription, if it has not been so already, unless early steps are taken for proceeding with it. You are, therefore, requested to ascertain and report upon this point.

I have the honour to be, &c.

(Signed) R. K. PRINGLE,
Chief Secretary to Government.

Bombay Castle, 30th April 1847.

No. 1220 OF 1847.

TERRITORIAL DEPARTMENT, REVENUE.

To E. H. TOWNSEND, Esq.,
Revenue Commissioner Southern Division.

SIR,—I am directed to transmit for your information the accompanying copy of a letter, No. 227, dated the 13th February last, from the Revenue

Commissioner Northern Division, and of my reply thereto of this date, relative to the validity of titles to Inam lands in the Collectorates of that division, and to convey to you the request of the Honorable the Governor in Council that you will report, at your earliest practicable convenience, how the question stands in the several districts of your charge, with the exception of the Southern Muratha Country, where an inquiry by the Inam Commissioner is now in progress.

I have the honour to be, &c.

(Signed) R. K. PRINGLE,
Chief Secretary to Government.

Bombay Castle, 30th April 1847.

No. 2913 OF 1847.

TERRITORIAL DEPARTMENT, REVENUE.

To H. E. GOLDSMID, Esq.,
Secretary to Government.

SIR,—I have the honour to acknowledge the receipt of the Chief Secretary's letter of 30th April last (No. 1220), with enclosures, inquiring "how the question stands in the several districts of my charge"; viz. "in what position the proceedings for investigating the validity of rent-free titles stand in the several Collectorates under my control"; and has any "regular inquiry ever yet been instituted on the subject?" (Paragraph 7 of the Chief Secretary's letter to the Revenue Commissioner Northern Division, dated 30th April 1847, No. 1219.)

2. The reply of the Collector of Poona, dated 21st May and 7th October, states, that "as by the orders of Government, conveyed in Mr. Chief Secretary Reid's Circular No. 911, dated 12th March 1840, the provisions of Chapter X. Regulation XVII. of 1827 have been declared inapplicable to this Zilla, inquiries into cases respecting Inam lands in which Government is a party, and the resumption of rent-free lands held on defective title, appear to have been hitherto carried on without reference to the period of enjoyment, excepting in so far as they come within the operation of the Rules of 23rd June 1842." In reply to a further call, in which I referred the Collector to the question contained in the Chief Secretary's letter (paragraph 7), his reply* dated 7th ultimo does not, however, state *what has been done* in his Zilla, but again refers to the inapplicability of Chapter X. Regulation XVII. to his Collectorate. I have on the 17th instant requested the Collector to state the present state of the question as regards his Collectorate, and his reply, when received, shall be communicated to Government. I believe that no investigation into Inams generally has ever been made in the Poona Collectorate.

3. The Acting Collector of Ahmednuggur states (15th June) that "no

* Sic in orig.

regular inquiry has ever been instituted in the Collectorate of Nuggur into the validity of titles to rent-free lands; but as doubtful cases have come to notice they appear to have been decided.

4. The Acting Sub-Collector, Mr. Tytler, reports (9th June) that "simultaneously with the Dang Survey" he investigated and disposed of all *doubtful* Inam claims in the two Talookas of which he held charge. Also, that when appointed Acting Sub-Collector, he investigated and disposed of several undisposed cases in the remaining three Talookas of the Sub-Collectorate. What was the result of these inquiries, or under what rules conducted, Mr. Tytler does not say. He alludes to a separate report which he has prepared on the subject, but adds a postscript to say that "the above Inams are totally distinct from our registered and acknowledged Inams," and are in fact "Ghair Dakhla," or "doubtful Inams."

5. This reply but partially disposes of the Government reference, which includes all *Inams;* for till such possessions are inquired into, it must ever be a question whether the registry and acknowledgment of them was made on sufficient or insufficient evidence. I have requested Mr. Spooner to call on the Sub-Collector for a full report on the state of the Inams in the Sub-Collectorate.

6. The Collector of Sholapore observes (16th July) that as by Clause 2nd, Section VI. Regulation XXIX. of 1827, the Revenue Courts have no jurisdiction with regard to Inams, he does not suppose that the limitation specified by Regulation VI. of 1833 would be applicable to these tenures. He further states, that "an investigation into the extent and value of the Inams in the four southern districts was made by Lieutenant Nash at the time of the Survey. In the Sholapore district, that of the Wurshasuns is nearly completed, and measures have been adopted for the early investigation of the claims to Inam lands held free of service. In the northern districts a preliminary investigation has been made by the Mamlutdars regarding these lands, and as soon as the season opens I hope the officer in charge of those districts will be able to prosecute the investigation." The Collector states that the quantity of Inam land in his Collectorate held free of service is 83,115 acres, the value of which (annual) is Rs. 37,959.

7. The Collector of Rutnagherry states (14th August and 18th September), that no general inquiry into grants of the nature indicated appears ever to have been made by a Special Commissioner or otherwise. As his letter enters upon certain legal questions connected with the subject, I have the honour to transmit it entire. The letters of the other Collectors are not sent, as their substance has been given above. The Collector's endorsement of 18th September relates to the letter from his predecessor of 8th December 1834 (quoted in paragraph 8), which was eventually discovered in this office, but of which, or of its accompaniments, no further use appears to have been made.

8. With reference to paragraphs 5 and 6 of the Collector's letter, I presume that no circular letter can control an Act of the Legislature; and that Act

VI. of 1833 being a modification of Regulation XVII. of 1827, Government would hardly rescind the later Regulation, and revive the older one. The remedy proposed by the Collector, viz. the adoption of immediate measures to inquire into all Inams, is certainly an excellent suggestion, if Government can afford the requisite extra assistance. With regard, however, to his last paragraph, years must elapse before the completion of the Inam Commissioner's work in Dharwar and Belgaum can admit of their entering Rutnagherry, unless Government should see fit to give Mr. Hart much additional assistance, even if the Revenue Commissioner should be able to dispose of the large increase of work caused by such an addition to the already numerous appeals from the Inam Commissioner's decisions.

9. An important limit, however, to the operations of Regulation VI. of 1833 appears to me to exist in the beginning of Clause 3rd of that Regulation, from which I understand that Clause 1st does not "apply to grants made without the authority of the Peshwa since A. D. 1803, regarding territory ceded by or conquered from that authority"; a description which would, I presume, include the six Collectorates of this division.

10. From the foregoing paragraphs His Honour in Council will perceive that little if anything has been done in the above four Collectorates of this division to decide upon the validity of rent-free tenures, except in parts of the Sholapore Collectorate, by Lieutenant Nash, of which I am not aware that any report has ever been submitted to Government, and in parts of the Sub-Collectorate of Nasik, where such as were considered "Ghair Dakhla," or "doubtful," were inquired into by Mr. Tytler.

I have the honour to be, &c.

(Signed) E. H. TOWNSEND,
Revenue Commissioner Southern Division.

Poona Districts, Rev. Commr.'s Camp, Moosee, 26th November 1847.

No. 1040 OF 1847.

TERRITORIAL DEPARTMENT, REVENUE.

To the REVENUE COMMISSIONER SOUTHERN DIVISION,

Poona.

SIR,—In reply to your reference No. 929, of the 8th May last, calling on me to report in what position the investigation into the titles of rent-free lands stands in this Collectorate, I have the honour to inform you that no general inquiry into grants of the nature indicated appears ever to have been made up to the present time, either by a Special Commissioner or otherwise.

2. Upon reference to the records in this office, I find that, upon the death of an Inamdar, it was customary with the Mamledars to collect the rent of

such Inam, pending the receipt of orders from the Collector relative to its future continuance or otherwise. This practice was, however, discontinued under the instructions conveyed in Mr. Secretary Townsend's letter No. 2741, of the 21st September 1837, and the forms prescribed in Chapter X. Regulation XVII. A. D. 1827 were ordered to be observed previous to the resumption of any Inam.

3. Accordingly, in instances where ground was found to be held free of assessment, whether granted in Inam or not, the usual notice is issued, and proceedings are instituted in accordance with the law, which course continued up to 1842. From this year, all Inam grants held under Sunuds, or recognised as such in the Government books, have been disposed of agreeably to the provisions of the Rules of 23rd June 1842.

4. In paragraph 4 of the Government letter No. 1219, of 30th April 1847, received under your endorsement now acknowledged, the Regulation of 1827 is laid down as the authority for our guidance when its provisions clash with the Rules of 1842; but I may observe that by Regulation VI. of 1833 the period of enjoyment necessary to confer a prescriptive right is reduced from sixty to thirty years, whereas in the Rules of 1842 sixty years' enjoyment is requisite, as also two successions in lineal descent, when the claimant possesses no Sunuds or other documentary evidence in support of his hereditary title.

5. If, therefore, the Regulation of 1833 is to be abided by, Government will have to suffer great loss. In my humble opinion, the Rules of 1842 are so liberal and fair, that all questions to titles of these Inams should come under their operation, and, if requisite, a new Act might be framed for the purpose. Under such a provision, Regulation XVII. of 1827 could be confined to instances where portions of land may be held rent-free, either from the inattention and carelessness of the subordinate revenue officers or from the want of a proper survey. Portions, also, of land not entered in the Government accounts as Inams, neither being claimed as such, might be disposed of in the same way.

6. I may here observe, that if Regulation VI. of 1833 is to be acted upon in supersession of the Rules of 1842, and thirty years to be taken as the period of prescriptive enjoyment, immediate measures should be adopted, and additional assistance afforded, for the purpose of inquiring into the grants under consideration, as the thirtieth year since the fall of the Peshwa is now current.

7. The disbursements immediately under the head of "Inams" in this Collectorate, as detailed in the Murathee statement submitted with my Yad to your predecessor, No. 28, of the 2nd July 1845, are as follows:—

I.—Amount of assessment of villages granted to persons as Surinjam Jagheer ..... Rs.	6,600	10	9
II.—Ditto ditto of villages granted in Mokassa Inam.	5,992	11	4
III.—Ditto ditto of lands granted in Inam to public servants, to Zemindars, Sirdars, and other honorable personages	40,530	5	2

IV.—Amount of assessment of villages and lands granted in Dhurmadeo to Brahmins..... Rs.	12,518	2	4
V.—Ditto ditto of ditto ditto endowed for the support of temples, &c.	9,876	10	7
VI.—Ditto ditto of lands held in Kowlee Inam	2,134	7	11
Total amount of alienations.... Rs.	77,653	0	1

8. I would here bring to notice that with his letter No. 748, of 8th December 1834, the Collector, Mr. Elliot, submitted a Murathee statement showing the items of alienations or charges on the public revenues in this Collectorate on account of allowances perpetual in their nature, but I have not been able to learn what use was made of it by Mr. Revenue Commissioner Williamson. However, as this inquiry was conducted solely by the Mamlutdars, and submitted in the same form, without apparently undergoing any scrutiny or investigation on the part of the Collector, by confronting the Inamdars (which, indeed, his multitudinous current duties could not admit of), the data embraced in the statement can hardly be viewed as affording satisfactory information relative to the validity or otherwise of the Inam grants therein enumerated.

9. In conclusion, I would suggest, in the event of its being the intention of Government to have an inquiry immediately instituted into these Inam grants, that the services of the Inam Commissioner in the Southern Muratha Country be made available as to the first four classes of the Inams specified in paragraph 7 of this Report, leaving the last two to be inquired into gradually by the Collector, according as circumstances may demand, since this could be done without much detriment from delay.

I have the honour to be, &c.

(Signed) H. LIDDELL,

Rutnagherry, Collector's Office, 14th August 1847. Collector.

No. 2530 OF 1847.

To E. H. TOWNSEND, Esq.,

Revenue Commissioner Southern Division.

SIR,—I have the honour to acknowledge the receipt of your letter No. 2800, dated 17th instant, and to inform you that, as far as I can ascertain, no regular inquiry has as yet been instituted in this Collectorate for investigating the validity of rent-free titles: on the death of the holders of Inams, the claims of the heirs are scrutinized, and ascertained to be good, before the lands are continued; but no regular system of inquiry into existing titles would appear to have been commenced on.

I have the honour to be, &c.

(Signed) W. COURTNEY,

Collector's Office, Poona, 29th November 1847. Collector.

No. 3017 OF 1847.

Submitted for the information of Government, with reference to the letter from this Department No. 2913, of 26th ultimo, paragraph 2.

(Signed) E. H. TOWNSEND,
Revenue Commissioner Southern Division.

Poona Districts, Revenue Commr.'s Camp Pabul, 4th December 1847.

No. 474 OF 1848.

TERRITORIAL DEPARTMENT, REVENUE.

To E. H. TOWNSEND, Esq.,
Revenue Commissioner Southern Division.

SIR,—The Honorable the Governor in Council having had under his consideration your letter dated the 26th November last, No. 2913, furnishing the information called for by Government on the 30th April last, regarding the present state of the inquiries into rent-free titles in the several Collectorates of your charge, I have been directed to inform you that Mr. Tytler should be required to forward immediately the separate report alluded to in your 4th paragraph, and Mr. Coles should be instructed to send to you, for transmission to Government, the proceedings held by the late Lieutenant Nash in the several cases of Inams settled by him. His Honour in Council has also desired me to state that he is much surprised to learn that such investigations should have been conducted without the knowledge of either yourself or Government.

2. His Honour in Council fully concurs in the observations made in your 5th paragraph, and you are requested to inform Mr. Tytler that it by no means follows that because an Inam is registered that it is acknowledged.

3. As regards Rutnagherry, it has, I have been instructed to inform you, been already decided by Government, (vide paragraph 4 of the Government letter No. 1214, dated 30th April 1847, to the Revenue Commissioner Northern Division, a copy of which was sent for your information and guidance on the same date,) that "in so far as the Rules of the 23rd June 1842 differ in their operation from those laid down in Regulation XVII. of 1827 and other Regulations bearing on it, the latter must be adhered to." The question, therefore, now is, whether at the termination of thirty years from the period of its acquisition of the Konkun, Government is debarred from taking measures for bringing under assessment land which was fraudulently taken possession of as Inam during the first year of our rule, and has been ever since enjoyed as Inam.

4. On this point I have been directed to observe that Clause 2nd, Regulation VI. of 1833 distinctly excludes from the thirty years' privilege all "land

alienated since the British Government obtained possession of the country, and without its permission," and the 3rd Clause also excludes grants made without the authority of the Peshwa since 1803, in territory ceded by or conquered from that authority. These Clauses, therefore, taken together, give to the Government power to inquire into and decide all questions arising out of claims not going back further than A. D. 1803.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Secretary to Government.

Bombay Castle, 24th January 1848.

No. 1413 OF 1848.

To H. E. GOLDSMID, Esq.,
Secretary to Government, Revenue Department.

SIR,—With reference to paragraph 3 of my letter of 26th November last, No. 2913, and to paragraph 1 of your reply of 24th January, No. 474, I have the honour to forward a letter, dated 10th December, No. 1654, from the Collector of Ahmednuggur, with enclosures and endorsements, the last of which is dated 21st March.

2. Mr. Spooner, in paragraph 2 of his letter of 10th December, refers to his predecessor's of 15th June as disposing of the Government reference; but it was because that letter but *partially* replied to the Chief Secretary's letter of 30th April 1847 that the reference to him, to which he here replies, was made.

3. The Sub-Collector states that "no regular inquiry into Inam tenures generally has ever been made in the sub-division." Mr. Suart promises to *commence* this inquiry immediately, but he has little hopes of *concluding* it in any reasonable time without an Assistant.

4. Mr. Suart refers (paragraph 3) to certain Rules by Captain Wingate as a simple method for disposing of the Inams of district and village officers. To these Rules Mr. Suart can give no sort of clue, except that they were circulated in Sholapore, and are "not on the records of the sub-division." It is probable that the Rules of which Mr. Suart's remembrance is so very indistinct are those proposed in paragraph 17 of Captain Wingate's letter of 17th September 1841, approved by Government in the Acting Secretary's letter of 30th December of that year. But as the allowances of these hereditary servants of Government contain Huks and cash allowances as well as land, to settle the amount of land by itself would, I submit, be a very imperfect measure, and one fraught with much useless labour; as in cases where the land, though excessive as compared with its original extent, does not give

excessive remuneration to the officiating Patel or Koolkurnee, there would be no object in its reduction.

5. Neither can I concur in the plan of universal attachment proposed in paragraph 5 of Mr. Suart's letter of 3rd December; the exclusion of the courts of law from such cases in the Deccan, as shown in paragraphs 3 and 4 of your letter of 24th January, No. 474, appears to render any such measure unnecessary. Still the inquiry into Inams should not be deferred.

I have the honour to be, &c.

(Signed) E. H. TOWNSEND,
Revenue Commissioner Southern Division.

Rutnagherry Districts, Rev. Commr.'s Camp Koodook, 27th April 1848.

No. 1654 OF 1847.

TERRITORIAL DEPARTMENT, REVENUE.

From R. SPOONER, Esq.,
Collector of Ahmednuggur,

To E. H. TOWNSEND, Esq.,
Revenue Commissioner Southern Division, Poona.

SIR,—In reply to your letter No. 2799, dated 17th instant, I beg to submit copy of the reply of the Sub-Collector (Mr. Suart) and the late Acting Sub-Collector (Mr. Tytler), Nos. 449 and 57, dated 3rd and 7th instant respectively.

2. My predecessor, in his letter No. 650, dated 15th June last, has already replied to the Government letter to your address No. 1220, dated 30th April last.

I have the honour to be, &c.

(Signed) R. SPOONER,
Collector.

Circuit Kutcheree, Camp Neywasa, 10th December 1847.

No. 449 OF 1847.

To R. SPOONER, Esq.,
Collector, Ahmednuggur.

SIR,—In reply to your endorsement No. 1550, of the 22nd ultimo, I have the honour to state no regular inquiry into Inam tenures generally has ever been made in the sub-division.

2. In accordance with the wishes of Government, a general and systematic inquiry will be immediately commenced, but I can hardly hope, without an Assistant, to bring it to a conclusion in any reasonable time.

3. The inquiry into the Inams of village and district officers will be a very simple one, if, as I imagine, Captain Wingate's Rules are to form the basis of it; but a copy of these Rules should be supplied, as there is not one on the records of this office.

4. When in charge of the Sholapore Zillah, a form of statement, based on Captain Wingate's Rules, was circulated to all Mamlutdars, to be filled up. I shall be glad to have a copy of this form.

5. As it appears, from Mr. Tytler's letter No. 225, of 9th June last, that the regulated time of prescription lapses in A. D. 1848, I beg to suggest that an attachment be placed on all Inams of every description till such time as the inquiry is completed. This will be no hardship, as Government may allow the owners to enjoy the proceeds of them on their giving security to refund the amount if their claims are disallowed.

I have the honour to be, &c.

(Signed) E. M. SUART,
Sub-Collector.

Circuit Kutcheree, Camp Pimplegaum Buswunt, 3rd December 1847.

No. 57 OF 1847.

To R. SPOONER, Esq.,
Collector, Ahmednuggur.

SIR,—In reply to your letter No. 1609, of the 3rd instant, I have the honour to inform you that there never has been any inquiry held into Inam tenures *generally* in the Sub-Collectorate of Nassick; doubtful claims alone have been disposed of.

I have the honour to be, &c.

(Signed) C. E. F. TYTLER,
First Assistant Collector.

Seroor, 7th December 1847.

(True copies)

(Signed R. SPOONER,
Collector.

No. 489 OF 1848.

The Collector is requested to state specifically what "Rules" (by Captain Wingate) are alluded to in paragraph 3 of the Sub-Collector's letter of 3rd December last, appended.

(Signed) E. H. TOWNSEND,
Revenue Commissioner Southern Division.

Poona Districts, Rev. Commr.'s Camp, Soopa, 8th February 1848.

No. 345 OF 1848.

I beg to annex the Sub-Collector's reply to the above endorsement, No. 134, dated 19th instant.

(Signed) R. SPOONER,
Collector.

Ahmednuggur, Collector's Office, 25th February 1848.

No. 134 OF 1848.

The Sub-Collector has the honour to state (in answer to the Collector's endorsement No. 249, of 14th instant) that a copy of Captain Wingate's Rules not being on the records of the sub-division, he is unable to give any detailed information about them, but suggests a reference be made to any of the Officers on the Survey, who were formerly employed either in the Poona or Sholapore Zilla, as they will doubtless have copies by them.

(Signed) E. M. SUART,
Sub-Collector.

Nassick, Sub-Collector's Office, 19th February 1848.

No. 831 OF 1848.

The Collector is requested to call on the Sub-Collector to afford some specific reference to the Rules alluded to in paragraph 3 of his letter No. 449, dated 3rd December last, to admit of their being traced in this office.

(Signed). E. H. TOWNSEND,
Revenue Commissioner Southern Division.

Ahmednuggur Districts, Rev. Commr.'s Camp, Ankola, 6th March 1848.

No. 499 OF 1848.

I beg to annex the Sub-Collector's reply to the above endorsement No. 207, dated the 15th instant.

(Signed) R. SPOONER,
Collector.

Ahmednuggur, Collector's Office, 21st March 1848.

No. 207 OF 1848.

The Sub-Collector, in answer to the Collector's endorsement No. 441, of 9th instant, begs to refer to his letter No. 449, of 3rd December 1847, in which it is stated a copy of Captain Wingate's Rules is not on the records of the sub-division; a reference to them will doubtless be found by the Revenue Commissioner in the Survey Reports on the Southern Districts of the Sholapore Zilla.

(Signed) E. M. SUART,
Sub-Collector.

Circuit Kutcheree, Camp Satpoor, 15th March 1848.

No. 2931 OF 1848.

TERRITORIAL DEPARTMENT, REVENUE.

To D. A. BLANE, Esq.,
Revenue Commissioner in Charge Southern Division.

SIR,—In acknowledging the receipt of Mr. Townsend's letter No. 1413, dated the 27th ultimo, forwarding one from the Collector of Ahmednuggur, with enclosures, having reference to the inquiry into Inam tenures in the Sub-Collectorate of Nassick, I have been instructed by the Right Honorable the Governor in Council to observe that Mr. Townsend has not forwarded to Government Mr. Tytler's separate report, alluded to in paragraph 4 of his letter of the 26th November last, No. 2913; you are, therefore, requested to call upon Mr. Tytler for it.

2. Government has now under consideration a set of Rules drawn up by Mr. Hart for deciding claims to Inams. When considered and approved of, revised copies will be sent to the Collectors of Khandeish, Ahmednuggur, Poona, and Sholapore, for their guidance.

3. His Lordship in Council has desired me to notice that Mr. Suart's plan for attaching every Inam is as unnecessary as it is objectionable.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Secretary to Government.

Bombay Castle, 22nd May 1848.

No. 2375 OF 1848.

TERRITORIAL DEPARTMENT, REVENUE.

To W. COURTNEY, Esq.,

Acting Secretary to Government, Bombay.

SIR,—I have the honour, with reference to paragraph 7 of Mr. Chief Secretary Pringle's letter No. 1219, of 30th April 1847, to submit a correspondence, as per margin, with the Collectors of this Division, relative to the state of the investigation into the titles to lands held wholly or partially exempt from assessment.

1. From the Collector of Ahmedabad, No. 255, of 3rd September 1847, with appendix.
2. Ditto Kaira, No. 432, of 23rd December 1847, with accompaniments.
3. To ditto, No. 2043, of 29th idem.
4. From ditto, No. 113, of 8th March 1848.
5. Ditto Broach, No. 264, of 13th December 1847.
6. Ditto Surat, No. 62, of 23rd February 1848, with accompaniment.
7. Ditto Surat, No. 203, of 17th July 1848, with accompaniments.
8. Ditto Surat, No. 296, of 4th November 1848, with ditto.
9. Ditto Tanna, No. 853, of 22nd Oct. 1847.
10. To ditto, No. 455, of 15th March 1848.
11. From ditto, No. 494, of 5th June 1848, with accompaniment.
12. Ditto Khandeish, No. 595, of 10th May 1847.
13. Ditto Khandeish, No. 1796, of 22nd November 1848, with enclosure.
14. Ditto Agent at Colaba, No. 125, of 4th March 1848.

2. In the Ahmedabad Zilla it will be seen that there are three hundred and eleven cases in which notices have been issued remaining to be disposed of, and 127,202 beegas 19 w. 10 ww. regarding which no investigation has been instituted. The titles to 8,980 beegas 12 w. 8 ww. are represented to have been admitted, but not as yet, with a few exceptions specified in the endorsement appended to the Collector's letter, reported for the confirmation of Government.

3. In the Kaira Zilla the state of the inquiry is exhibited in a statement accompanying the Collector's letter No. 432. This, it will be observed, requires further explanation, which has been called for and will be furnished hereafter; but extracting the figures in the two last columns as a general sketch, the extent of land for which notices have been issued is stated at 15,031 beegas 17 w. 15 ww., and that remaining entirely uninvestigated at 399,837 beegas 16 w. 2 ww.

4. In the Broach Zilla the Collector estimates the uninvestigated lands at 323,859 beegas 1 w. 3 ww., as specified in a table inserted in his letter.

5. In the Surat Zilla the Collector represents that he cannot ascertain that the Survey inquiries were carried further than to determine the actual occupancy, and the only express inquiry since instituted is stated to have been one into the "Vechaneea" and "Guraneea" lands in the Parchole Purguna. With regard to the Survey inquiries, the nature of them in the Broach Collectorate has been reported upon in the correspondence ending with Government letter No. 4618, of 15th November 1847, and the presumption would seem to be in

favour of their having been conducted on the same principles in this Zilla. The extent of the alienated land is exhibited in a statement accompanying the enclosure No. 203, from which it will appear that the total uninvestigated, inclusive of 917 beegas 12 w. 6 ww. for which notices have been issued, amounts to 105,828 beegas 1 w. 8 ww.

6. In the Tanna Zilla there are represented to be 1,432 notices still awaiting decision, including, as explained in the enclosure No. 494, the whole of the lands entered as alienated in the accounts not hitherto investigated, the extent of which in the several measures in use in this Zilla is detailed in a statement thereto appended. The practice of attaching Inams on the death of incumbents is alluded to by him in paragraph 4, in which he explains that Inam villages are excepted on the grounds, as I understand him, of the recognition of the title inferred to have been conveyed by the grant of compensation for liquor farms. The titles to these villages are represented, however, (paragraph 4, No. 494,) to have been separately reported to Government. With respect to successions, the instructions in Government letter No. 1345, of 4th May 1847, would seem to be sufficiently distinct, and according to the tenor of a late letter, No. 1314, of 26th February last, relative to certain titles admitted in the Kaira Zilla, it is apparently the intention of Government that the inquiry into unrecognised titles is in all instances to be proceeded with in the form of notices according to the Regulations, and the whole of the papers, with translations, to be appended to the Collector's report when the title is admitted.

7. In the Khandeish Collectorate the state of this inquiry has lately been under the consideration of Government, in the correspondence replied to in Mr. Secretary Townsend's letter No. 5346, of 14th November 1845, the arrears uninvestigated being stated in the accompaniment to the enclosure No. 1796 at 135,985 beegas 18¼ w.

8. In the Colaba Territory the investigation remains to be made, but the extent of the alienations specified in the Agent's letter is not very great, and the Agent would seem to anticipate his being able to accomplish it during the intervals of leisure from his other duties.

I have the honour to be, &c.

(Signed) D. A. Blane,
Revenue Commissioner Northern Division.

Rev. Commr.'s Camp, Khandeish Districts,
Nyadongree, 5th December 1848.

No. 255 of 1847.

Territorial Department, Revenue.

From E. G. Fawcett, Esq.,
Collector of Ahmedabad,

To D. A. Blane, Esq.,
Revenue Commissioner Northern Division.

Ahmedabad, 3rd September 1847.

Sir,—I have the honour to acknowledge the receipt of the extract of Government letter No. 1219, dated 30th April 1847, forwarded under your endorsement No. 705, dated 5th May last, requesting information as to the position in which the proceedings for investigating the validity of rent-free titles now stand, and beg to inform you that originally 135,393 beegas 14 w. 10 ww. of land in Khalsa villages, partially or wholly exempt from revenue, had to be inquired into, with respect to which 3,033 notices have been issued and 2,722 cases decided, affecting land to the extent of 18,190 beegas 15 w., of which 8,980 beegas 12 w. 8 ww. have been allowed as entitled to be exempt, or resumed after a certain period, and 9,464 beegas 17 w. 13 ww. have been resumed. 3,923 beegas 1 w. 18 ww. are now under notice, comprising 311 cases which remain to be decided, and the rest remains as it was. By far the greater portion of the cases disposed of were decided upon in the years about 1828 to 1832; but of late years there have been so few Assistants, and urgent current business has so much increased, that it has not been practicable to make much progress in this work, which, in my humble opinion, would require the undivided attention of an experienced officer for some years.

2. I do not, however, see any probability of Government having at disposal any covenanted officers to appoint, and the only feasible mode of forwarding this investigation that occurs to me is to authorise Mamlutdars to decide upon titles to exemption.

I have the honour to be, &c.

(Signed) E. G. Fawcett,
Collector.

No. 1491 of 1847.

The Collector is requested to state if the admission of the titles to 8,980 beegas 12 w. 8 ww. have been reported to Government, and if so, under what dates.

(Signed) D. A. Blane,
Revenue Commissioner Northern Division.

Revenue Commissioner's Office, Poona, 13th September 1847.

No. 367 of 1847.

In reply, I have the honour to state that I cannot find, from the records, that any reports of cases of this nature have been made previous to the time at which I assumed charge of the Collectorate.

The following is a list of reports since made :—

Two cases, forwarded with letter No. 60, dated 8th May 1844, and exemption sanctioned during the lives of the incumbents by Government letter dated 31st August 1844, forwarded under the Revenue Commissioner's endorsement dated 2nd September 1844.

One case, No. 29 of 1844, forwarded with letter No. 286, dated 5th September 1846, confirmed by Government 30th December 1846. Revenue Commissioner's endorsement 2nd January 1847.

One case, No. 28 of 1845, with letter No. 301, dated 24th September 1846, confirmed by Government, dated 28th December 1846. Revenue Commissioner's endorsement No. 24, of the 4th January 1847.

One case, No. 59 of 1844, with letter No. 192, dated 26th June 1847.

Three cases, No. 208 of 1841, No. 21 of 1843, and No. 37 of 1843, with letter No. 302, dated 12th October 1847.

Four cases, Nos. 16, 17, 18, and 19 of 1847, with letters Nos. 333, 334, 335, and 336, dated 15th November 1847.

(Signed) E. G. Fawcett,
Collector.

Ahmedabad Collector's Camp, Jolapoor, 15th December 1847.

No. 432 of 1847.

Territorial Department, Revenue.

To D. A. Blane, Esq.,

Revenue Commissioner Northern Division, Broach District.

Sir,—With reference to your circular endorsement No. 705 of 1847, dated the 5th of May last, requesting me to furnish the information called for by Government, in the extract from a letter to your address, as to the position in which the proceedings for investigating the validity of rent-free titles stand in this Collectorate, I have the honour to submit the annexed statement exhibiting the quantity of arable Government lands and alienated lands in this Zilla. With respect to the latter, the statement shows the quantity resumed by Government under Regulations I. of 1823 and XVII. of 1827, and that restored subsequently, after resumption, to the different claimants, on account of the passing of Regulations X. of 1831 and VI. of 1833, by the Collector and his Assistants; by the decrees awarded under the former quoted enactments

g the position in which the Proceedings for investigating the Validity of Rent-free Titles to Lands stand in

	Restored out of the Resumed Lands in Column 4.							
	By order of Mr. Lumsden.	By the Decrees passed, under Regulations I. of 1823 & XVII. of 1827, having been reversed in Appeal.	By a Special Order of Government sanctioning restorations of the Bhat Lands.	Life Grants.	Total.	Salamee Suwadeea.	Jukree or Rent-free.	
	6	7	8	9	10	11	12	
w.	Beegas w. ww.	Beegas w. ww.	Beegas w. ww.	Beegas w. ww.	Beegas w. ww.	Beegas w. ww.	Beegas w. ww.	
10	1,628 12 0	35 15 0	2,634 4 0	....	4,606 10 10	60,859 0 5	19,792 3 5	8
0	391 10 0	....	....	....	448 5 0	31,710 4 0	20,178 2 5	5
	106 15 0	....	....	....	106 15 0	33,848 6 15	12,101 2 0	4
10	....	....	....	110 5 0	1,853 0 10	56,301 8 5	33,684 8 10	8
	869 10 0	....	....	....	869 10 0	25,094 4 1	11,980 7 10	8
0	....	....	287 0 0	....	1,248 15 0	18,633 11 15	11,801 5 10	3
15	280 10 0	....	629 5 0	....	2,240 7 15	53,092 11 0	25,792 18 16	7
15	3,276 17 0	35 15 0	3,550 9 0	110 5 0	11,373 3 15	279,539 6 1	135,330 7 16	41

having been reversed in appeals to the Zilla Courts; by Sunuds granted by Mr. Lumsden; and by a special order from Government exempting Bhat lands from assessment.

2. In cases where the titles were found defective, or the tenures not recognised by the Regulations then in force, the lands were continued as a matter of favour to the parties, either rent-free or on the payment of a slight Beegotee assessment for a certain number of years, and to be escheated to Government at the expiration of that period.

3. On the passing of the Regulations X. of 1831 and VI. of 1833, parties who had lost their lands under the former Regulations made petitions for their recovery, on the ground of the enjoyment for the prescribed periods of sixty and thirty years; whereupon, the Collectors and their Assistants reviewed and annulled the former proceedings in a great many cases, and passed decrees in favour of the parties, allowing them to hold the lands either rent-free or on the payment of a slight Beegotee. But the Collectors' decisions do not appear to have been reported for the confirmation of Government, as required by Sections XLV. and XLVIII. of Regulation XVII. of 1827.

4. It does not appear from the records of this office whether Mr. Lumsden had any authority from Government to grant Sunuds authorising parties to hold lands either rent-free or on the payment of a slight Beegotee, quit-rent, &c. for a number of years, &c. Cases now coming up for investigation are, however, to be disposed of, without reference to that officer's decision, on their own merits, according to the Government letter of 1st June 1832, to the address of the Principal Collector of Ahmedabad, as directed in your letter of the 4th August 1846, No. 1373.

5. The small quantity of land entered in the statement as having been allowed to be enjoyed during the lifetime of the parties must have been, in all probability, granted through a compassionate consideration of their distressing circumstances, and will sooner or later be escheated to Government.

6. With regard to the lands whose tenures remained to be investigated, notices have been served on a small quantity without any previous inquiry, and merely because they are the property of private individuals. In a great many cases the Salamee or quit-rent and the Suwadeea levied on alienated lands is just the same, or nearly equal to what they would yield if they were Government lands.

7. The tenures in column 15 being for the most part recognised by Regulation XVII. of 1827, the titles to lands held under them cannot be disputed.

8. Several cases have within the last three years been decided in favour of the owners under Regulations X. and VI. of 1833. The decision in only one has been reported for the sanction of Government, and the proceedings in others are now being translated, and will be forwarded as soon as possible.

9. I beg to forward a copy of a report from my First Assistant, Mr. Compton, dated the 23rd of September last, No. 36, on the subject.

I have the honour to be, &c.

(Signed) J. WEBB,
Collector.

Kaira Collector's Camp, Muhoonda, 23rd December 1847.

No. 36 OF 1847.

To J. WEBB, Esq.,
Collector of Kaira.

SIR,—With reference to your endorsement No. 138 of 1847, dated 13th May, forwarding an extract from a letter from Government to the address of the Revenue Commissioner, inquiring what proceedings have been held up to the present time for investigating the validity of rent-free titles, I have now the honour to forward two reports on the subject from the Mamlutdars of Thasra and Kuppurwunj, and to submit the annexed English statement, which exhibits the total amount of the "alienated" lands in each Purguna, and the Government lands bearing assessment; the quantity of land which has been resumed, with that which has been restored after resumption; together with the lands on which notices have been served, but the claims to which have not been investigated.

2. The last column in the statement includes a large amount of land, and some explanation appears necessary as to the cause of the delay in deciding the claims thereto. I find that all the notices on these lands were served (almost at the same time) in the year 1845, solely because they were "rent-free" lands, and without any previous inquiry as to the probability of their belonging to Government and not to the several occupants. When, therefore, my predecessor, Mr. Buchanan, began to investigate these claims, the people of the district declared their intention of deserting their villages, and it was found necessary to postpone the inquiry.

3. The Mamlutdars do not state whether the lands included in column 4 were restored to the occupants with the sanction of Government or not, and so much time has already been lost in obtaining answers from them, that I am unwilling to delay the transmission of this report by any further reference on the subject.

4. It appears that only three cases have been decided under Regulations X. of 1831 and VI. of 1833; in these the decision of the Collector was in favour of the occupant's right to the land. The proceedings were, consequently, forwarded for the sanction of Government, but have not yet been returned.

5. I may be permitted to mention that the Salamee and Suwadeea levied on two-thirds of the alienated lands in many cases equals the full assessment

which would be taken if the lands belonged to Government, and varies from 11 pies to Rs. 7-12-0 a beega.

6. I beg to forward herewith the Guzerathee statement, &c.

I have the honour to be, &c.

(Signed) T. A. COMPTON,
First Assistant Collector.

Kaira, First Assistant Collector's Office, 23rd September 1847.

(True copy)

(Signed) J. WEBB,
Collector.

No. 2043 OF 1847.

To J. WEBB, Esq.,
Collector, Kaira.

SIR,—I have the honour, with reference to the statement accompanying your letter No. 432, of 23rd instant, on the subject of the inquiry into the titles to exemption from assessment, to request a solution of the following doubts with respect to the manner in which the statement has been framed:—

I.—Are the figures in column 4 included in those in column 1, or additional to them?

II.—Do columns 11 and 12 include the figures in column 10?

2. In elucidation of the totals in the statement, I would request an abstract in the annexed form.

3. A detailed statement showing the number of cases, extent and value of land, and authority by whom the decisions were passed in the instances embraced in column 5, is also requested; and you will have the goodness to mention if Mr. Lumsden's Sunuds are of a prior or subsequent date to that of Regulation X. of 1831, and whether they had any reference to it, and to specify the date of the order referred to in column 8 of the statement. Adverting to your remark in paragraph 4, the Government letter therein quoted has reference, you will observe, solely to the operation of Regulation X. of 1831, and not to any proceedings by Mr. Lumsden which may have been conducted on the principle of a compromise authorised in Section XLVIII. of Regulation XVII. of 1827.

I have the honour to be, &c.

(Signed) D. A. BLANE,
Revenue Commissioner Northern Division.

Rev. Commr.'s Camp, Broach, 29th December 1847.

ABSTRACT.

		Beegas	w.	ww.
Government lands	.....	570,341	3	6
Add (or including, as the case may be) resumed..	23,584			
Less since relinquished	11,373			
		12,211	0	0
Total under Government Assessment ..		582,552	3	6
Paying quit-rent, Salamee, Suwadeeo, &c.	279,539			
Rent-free Nukree	135,330			
		414,869	0	0
Total Rugba of the Zilla		997,421	3	6

(Signed) D. A. BLANE,
Revenue Commissioner Northern Division.

Rev. Commr.'s Camp, Broach, 29th December 1847.

(True copy)
(Signed) D. A. BLANE,
Revenue Commissioner Northern Division.

No. 113 OF 1848.

TERRITORIAL DEPARTMENT, REVENUE.

To D. A. BLANE, Esq.,
Revenue Commissioner Northern Division.

SIR,—In acknowledging the receipt of your letter No. 383 of 1848, dated the 2nd instant, requesting an early reply to your communication No. 2043, of 29th December last, relative to the investigation into the validity of rent-free titles in my Collectorate, I have the honour to bring to your notice the circumstances which do not admit of an early compliance with your request.

2. The details called for in your reference above quoted are so numerous and minute as cannot be obtained without a most careful Gaumwar investigation, and a searching inquiry into the Hoozoor and district records. These have been set on foot, but suspended, owing to the yearly settlements which are now going on, and in which both my own and the Mamlutdar's establishments are now engaged. I beg, however, to assure you that every attention will be paid to hasten the transmission of my reply on the subject.

I have the honour to be, &c.
(Signed) J. WEBB,
Collector.

Kaira Collector's Camp, Matur, March 8th, 1848.

No. 264 of 1847.

TERRITORIAL DEPARTMENT, REVENUE.

To D. A. BLANE, Esq.,

Revenue Commissioner Northern Division, Surat.

SIR,—I have the honour to reply to your circular No. 1851, dated the 19th ultimo, calling for my early report upon the subject of the investigation into the validity of rent-free titles in this Collectorate, as required in paragraph 7 of Government letter No. 1219 of the 30th April last.

2. For an analysis of the investigation which the Talookas of Broach, Wagra, Unklesur, and Hansote appear to have undergone at the hands of the Committee of the Revenue Survey of Broach, under Major Monier Williams, in regard to titles to alienated lands, I beg to refer you to my letter No. 163 of the 9th August last. The conclusion at which I arrived when submitting that letter, the result of my inquiry upon the subject, was that the labours of the Survey Committee had left nothing to be desired in the four Talookas named; and that little further appeared requisite than a proper application of the Regulations and Rules of Government, as lapses in the investigated titles occur, or have since occurred.

3. Your endorsement No. 1830 of the 17th ultimo upon Government letter No. 4618 of the 15th idem, calls upon me to institute such further inquiries as may remove all doubt as to the fact of no similar investigation having been made in the Ahmode and Jumboosur Talookas, a fact which I deduced in the 10th paragraph of my letter above referred to, as well from the Honorable President's Minute of the 25th April 1821, as from local inquiries made by myself.

4. Of this fact there is, I would respectfully remark, no doubt whatever. The Talookas of Jumboosur and Ahmode, as well as the small Mahal of Dehej (not noticed in my letter of the 9th August last), have literally undergone no investigation whatever into the alienated possessions hitherto continued in those districts, if I except a great many "notices" issued under Section XL. Regulation XVII. of 1827, which have never, upon expiration, undergone any form of inquiry. The large proportion of alienations, on the other hand, borne against the uninvestigated Talookas, would certainly appear to invite inquiry without further delay, and if the proportion of resumptions* should

* The following I have abstracted from the Reports upon the Talookas of Unklesur, Hansote, Broach, and Wagra, published in Vol. III. of the Bombay Revenue Selections, beginning at page 635:—

	Beegas	w.	ww.
Unklesur.			
Total alienated lands (including the resumptions)	36,470	18	0
Resumed by the Survey 6,252 beegas 4 w., or 17 per cent.			
Hansote.			
Total alienated lands	42,784	10	0
Resumed by the Survey 10,580 beegas 4¼ w., or 24¾ per cent.			

approach those brought about by the Survey Committee in the other districts, the end would seem to justify the inquiry, even should the latter be accompanied by a present charge.

5. The titles still open to investigation may be classed under two heads, viz. tenures recognised as prescriptive by Regulation XVII. of 1827, Appendix A, and "service tenures," resumable under "such Rules as Government may think proper to issue from time to time." (Regulation VI. of 1833, Clause 3rd.) To these I have reason to believe may be added, but in an unknown proportion, "Sirkar lands alienated since the Government obtained possession of the country, and without its permission," to which the prescriptive period of thirty years' enjoyment does not extend." (Vide the same Regulation, Clause 2nd.) The following abstract, taken from the roll of alienated lands throughout the Zilla, indicates pretty correctly the relative proportion in money's worth of these two classes of alienations, and the sub-division,—the statement shows the respective quotas borne by the investigated and uninvestigated districts :—

1*st Class*, viz. Hereditary Tenures, recognised by Appendix A of Regulation XVII. of 1827 :—

I.—"Wanta" or hereditary possessions of Grassias..Rs.	2,82,012	6	7
II.—"Vechaneea" and "Guraneea," included by Regulation X. of 1831.....	44,317	14	6
III.—"Hareea," or lands assigned as blood-money by Patels of villages, to secure immunity from retaliation, supposed to be identical with "Baria," in Appendix A).	2,867	12	3
IV.—"Dewusthan," or lands held in prescriptive endowment of Hindoo temples	28,528	0	0
V.—"Wuzeefa Khyrat," ditto ditto of Mahomedan shrines (included under the general term of "Pusaeeta" in Appendix A. (See definition given at page 677, Vol. III. of Bombay Revenue Selections).....	32,854	14	6
Total ...Rs.	3,90,580	15	10

2*nd Class*, viz. Service Tenures, resumable at the pleasure of Government :

I.—"Pusaeeta Nukra," or lands assigned for the support of Hindoo individuals .....Rs.	1,37,541	15	2
II.—"Dhurmadaee" (analogous to the foregoing, or lands held by Hindoo mendicants)	2,115	10	10
Total,...Rs.	1,39,657	10	0

● *Broach (including Wagra).*

	Beegas	w.	ww.
Total alienated lands	128,731	2	0
Resumed by the Survey 34,019 beegas 7w., or 26½ per cent.			
Grand total alienated lands	207,986	10	0
Ditto resumptions	50,851	15	10
Or 24 per cent.			

Statement showing the Sub-division or Distribution of the above.

Nature of Tenure.	Uninvestigated by the Survey Committee.									Investigated and determined by the Survey Committee.												
	Jumboosur.			Ahmode.			Dehej.			Broach.			Wagra.			Unklesur.			Hansote.		
Hereditary Tenures.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
1. Wanta	1,10,632	6	1	21,143	12	8	10,115	5	5	26,045	11	0	51,243	4	4	36,855	10	3	25,976	4	10
2. Vechaneea and Guraneea	17,725	9	6	21,366	1	5	4,976	12	8	26	12	5	....			36	4	6	186	6	0
3. Hareea	2,054	9	3	397	4	3	415	14	9	....			....			....			....		
4. Dewusthan	10,102	15	1	3,532	1	9	1,407	8	4	4,756	10	9	5,394	14	7	1,587	2	0	1,746	11	6
5. Wuzeefa Khyrat	11,608	13	6	1,752	11	3	124	15	4	8,423	11	9	2,029	14	10	4,575	7	3	4,339	4	7
Total.... Rs.	1,52,124	5	5	48,191	15	4	17,040	8	6	39,252	13	11	58,668	1	9	43,054	8	0	32,248	10	11
Resumable Tenures.																					
1. Pusaeeta Nukra	79,477	12	7	20,810	15	3	5,715	5	8	7,543	11	5	10,549	1	0	5,414	0	11	8,031	0	4
2. Dhurmadaee	252	2	10	238	1	10	7	13	10	1,458	8	3	52	5	6	30	6	6	76	4	1
Total.... Rs.	79,729	15	5	21,049	1	1	5,723	3	6	9,002	3	8	10,601	6	6	5,444	7	5	8,107	4	5
Grand Total.... Rs.	2,31,854	4	10	69,241	0	5	22,763	12	0	48,255	1	7	69,269	8	3	48,498	15	5	40,355	15	4
	Rupees 3,23,859-1-3.									Rupees 2,06,379-8-7.											

6. The last statement shows that the uninvestigated Talookas contain by far the greater proportion of the first four of the hereditary tenures enumerated, and about seventy-five per cent. of the principal "service" tenure, the most important of the whole in point of reversionary value.

7. The Honorable Court of Directors, in commenting upon the result of the Revenue Survey of the Unklesur and Hansote Purgunas, make use of the following words:—

"It appears to us, as far as we are enabled to draw an inference from the information you have afforded, that the alienated lands open to resumption divide themselves into two sorts,—those which have been granted for service no longer required, and those which have been fraudulently withdrawn from the assessment." (Vide revenue letter to Bombay, 13th February 1822, page 644, Vol. III. of Revenue Selections.)

This would appear to refer to the whole of those lands held as well under "Pusaeeta Nukra" tenure as under "Pusaeeta Chakrea," or specific village "service" tenure (charitable allowances to *individuals*, which is the meaning of Pusaeeta Nukra, being everywhere distinct from endowments of religious *establishment*). Instances of the resumption of Dewusthan Pusaeeta do occur, (see paragraph 198 of the revenue letter from Bombay of the 10th June 1815, page 649,) "where the Pusaeeta has been unusually great"; but the same paragraph mentions that this tenure was very generally respected, and the non-interference principle lately inculcated by Government with respect to Dewusthan would also probably further protect alienations under that tenure. On the other hand, "the Pusaeeta lands of Bhats, Brahmins, or others who render no service whatever to the village in which the land lies, or who reside beyond the Company's territories, have also generally been resumed." These resumptions come under Pusaeeta Nukra.

8. Of the hereditary class of tenures, it is difficult to hazard a conjecture as to what might be resumed by an early inquiry. The same letter quoted in the last paragraph gives the following account of the first two, viz. "Wanta" and "Vechaneea Guraneea" (vide paragraph 191):—

"The most important alienation was the Wanta lands held by the Grassias. This description of tenure dates its origin from the remotest period, and has been therefore universally recognised and confirmed to the proprietor for ever. The same feelings which influenced the Grassia proprietors tenaciously to assert their right to the *old* Wanta operated in a manner very creditable to the character of this class of our subjects, voluntarily to determine them to acknowledge the right of Government to resume whatever quantity the Survey might establish to have been improperly alienated. Under the operation of this equitable principle, the whole of the Vechaneea, Guraneea, and Vulluddanea* lands, which had gradually assumed the denomination of *new* Wanta and Wanta, have been resumed in these villages."

The 196th paragraph further details the manner of redeeming the Vechaneea

* "Vulluddanea" is a modification of "Guraneea," and relates to *specific* as the latter term does to *indefinite* mortgage.

Guraneea, viz. by a pecuniary compromise; and some similar course might possibly still offer in the uninvestigated Talookas.

9. Paragraph 199 also mentions the tenure denominated "Hareea," or blood-land, which it is said was very generally resumed, but upon what grounds is not stated. A reference to the statement already given shows that the Vechaneea, Guraneea, and Hareea tenures are at this day almost exclusively conferred to the uninvestigated Talookas.

10. The "Wuzeefa Khyrat" is analogous to Dewusthan, the one being a Mahomedan and the other a Hindoo term for lands originally bestowed with one and the same object, the support, namely, of religious establishments. I do not anticipate that much would be resumable out of this class of lands, nor, indeed any, except in cases where the alienation was found to be continued to the benefit of individuals rather than of establishments.

11. With regard to the manner of dealing with the inquiry yet unperfected in the Zilla, it would be presumptuous in me to offer an opinion at this stage of the question. Regarding, however, the signally unsuccessful result of the desultory attempts hitherto made from time to time for asserting the rights of Government, there would appear to be no chance of arriving at anything satisfactory, if the investigation is to be resumed by the unassisted agency of the present establishment of the Zilla at the point where the Survey Committee's inquiry ceased. I find, indeed, that during the last ten years from three hundred to four hundred "notices" (under Section XL. Regulation XVII. of 1827) have been issued for the trial of doubtful claims, but that not more than three of these have been brought to issue, one of the latter being the case laid before you with my letter No. 147, of the 14th July last, which case itself was of several years standing. The utmost that can reasonably be looked for from the permanent establishment would appear to be a strict and uniform application of the Rules to lapses occurring in resumable tenures in those Talookas where the Survey Committee have already paved the way.

12. With regard to the arrears of notices referred to in the foregoing paragraph, I cannot undertake to state that there is the least probability of ever bringing them to issue in the ordinary course. Each case, indeed, would be equivalent to a civil suit, (conducted as it is directed they should be in Section XLII. Clause 1st, Regulation XVII. of 1827,) with the concomitant delay, expense of process, and ultimate right of appeal appertaining to civil process; and such an investigation, even if practicable, in addition to the other current business of a Collector and Magistrate's Office, would be slow and uncertain, and wholly inadequate to meet the end in view. In fact, nothing more feasible suggests itself than that a competent Committee (of which the Collector might be a member) should prosecute the investigation uninterrupted by the miscellaneous calls which interfere to distract the attention of the local officers from any exclusive subject of inquiry.

I have the honour to be, &c.

(Signed) J. M. DAVIES,
Collector.

Broach Collector's Camp, Bawa Rein, 13th December 1847.

No. 62 of 1848.

Territorial Department, Revenue.

To D. A. Blane, Esq.,

Revenue Commissioner Northern Division, Ahmedabad.

Sir,—With reference to your circular endorsement No. 705, dated 5th May 1847, on copy of an extract of a letter from Government, No. 1219, dated 30th April antecedent, on the subject of ascertaining exactly in what position the proceedings for investigating the validity of rent-free titles stand in the different Collectorates, I beg to state that I cannot find from the records of this office that any regular inquiry has ever been instituted into the validity of rent-free titles in this Zilla. The survey and measurement of the entire Purgunas of Oolpar, Koorsud, Bulsar, Soopa, Parchole, Chowrasee, Parnera, and also six villages in the Bugwara Purguna, were completed by Major Newport and his Assistants, but I cannot ascertain exactly in what way the inquiry was conducted by that officer or his assistants into the title on which lands were held rent-free; but it would appear that the right of occupancy was admitted and recorded by the Officers of the Survey as they now stand on the accounts of this office; and they endeavoured only to discover whether parties thus claiming possession of rent-free lands actually held more land than they claimed a right to, or could show an apparent title to hold from Sunuds or length of time of possession. All land discovered as held over and above what parties were considered apparently entitled to was entered as Wadara, or excess, and in the Purgunas of Oolpar, Koorsud, and Parchole, encroachments, whether on Sirkaree or Maafee lands, have in all instances been assessed, and the assessment on Wudara on the Sirkaree land in the Purgunas of Soopa, Bulsar, and Chowrasee, surveyed by Major Newport, has been enforced, but not on Maafee lands. A portion, however, of the latter in the Chowrasee Purguna, has since, at different times, been assessed, and several notices were issued by Mr. Simson in 1841 in this Purguna; but in the Parnera Purguna, and in the seventeen villages of Bugwara, viz. six surveyed by Major Newport, and eleven by Hurreebhaee Oomeasunkur, no steps have been as yet taken to realize the rent due to Government on such Wudara lands, whether Sirkaree or Maafee. The Purgunas of Chicklee, Walore, and Boharee were measured by Moonsiffs, under the directions of the late Mr. Morison, many years ago, and subsequently by order of the Principal Collector in 1836; but it would appear that no encroachments were discovered.

2. The Wudara on Sirkaree and Maafee lands, discovered by Mr. Kelly by his survey of the Sarbhone Purguna, and eleven villages of the Kurode, at intervals from 1832 to 1847, has, in every instance, been assessed and brought to the account of Government. From the above it would appear that in the Purgunas of Walore and Chicklee, sixty-three villages of the Bugwara Purgunas, and eighteen villages of the Kurode Purguna, no regular survey or measurement has taken place, although throughout the whole Collectorate

lands have at various times been resumed and assessed, both Sirkaree and Maafee, when instances of their being held without title have been brought to the notice of the Collector; and it would appear that Mr. Simson in the year 1841 directed that Wudara land to a great extent should be assessed, and the proceeds brought to the credit of Government, and in case payment should be refused, that notices should be issued in the usual manner, calling on the holders to prove their title under Regulation XVII. A. D. 1827. (Vide Jummabundee Report for 1840-41, No. 301, dated 21st September 1841, paragraph 23.)

3. Government, in its letter No. 1087 dated 12th April 1842, paragraph 14, called the attention of the Collector to the importance of immediately attending to this subject, lest the period that had elapsed might prove fatal to the claims of Government to its fair assessment, and Mr. Simson issued many hundred notices under the Regulations; but no great progress appears to have been made in this inquiry, probably, as suggested by Mr. Simson in the 25th paragraph of his Jummabundee Report for 1840-41, dated 21st September 1841, No. 301, from the various other important and pressing duties to which the attention of the Collectors was necessarily directed.

4. I may also observe that an inquiry was also made by Mr. Andrews, while Assistant Collector, in 1827, into the Vechaneea and Guraneea lands in Parchole, and his proceedings were approved and confirmed by Government.

5. I beg to annex a statement showing what has been already effected in regard to lands held in excess in this Collectorate, and to state that I have called the attention of Mr. Robertson, my First Assistant, to the necessity for immediately proceeding with this inquiry in the districts under his charge, and that I will without delay enter upon the same myself.

I have the honour to be, &c.

(Signed) P. STEWART,
Collector.

Surat Collector's Office, Camp Anjna, 23rd February 1848.

Statement showing the Purgunas in the Surat Collectorate in which Survey and Measurement have been made.

Names of the Purgunas.	Remarks.
Oolpar Koorsud Parchole	Surveyed by Major Newport, and excess, when discovered, whether in Sirkaree or Maafee land, has been assessed and credited to Government.
Soopa Bulsar Chowrasee	Surveyed by Major Newport, and the excess of Sirkaree land was then assessed, but not that of the Maafee. A portion, however, of the latter, in the Chowrasee Purguna, has since been assessed, and several notices were issued by Mr. Simson in 1841 in this Purguna.

Names of the Purgunas.	Remarks.
Parnera	Surveyed by Major Newport, but the excess discovered has not been assessed either in Sirkaree or Maafee lands.
Six villages of the Bugwara Purguna.....	
Eleven ditto ditto	Surveyed by Hurreebhaee Oomeasunkur, do. do.
Walore and Boharee	Surveyed and measured by Moonsiff by order of the late Mr. Morison, and subsequently by order of the Principal Collector in 1836, but no encroachments appear to have been discovered.
Chicklee	
Surbhone.....	Surveyed at intervals from 1832 to 1847, by Mr. Kelly, Assistant Surveyor and Builder. Excess, when discovered, whether in Sirkaree or Maafee land, has been assessed.
Eleven villages of the Kurode Purguna	

(Signed) P. STEWART,
Collector.

Surat Collr.'s Office, Camp Anjna, 23rd February 1848.

No. 203 OF 1848.

TERRITORIAL DEPARTMENT, REVENUE.

To D. A. BLANE, Esq.,
Revenue Commissioner Northern Division, Poona.

SIR,—I have the honour to acknowledge the receipt of your letter dated 15th March last, No. 454, relative to the investigation into the titles of alienated lands, and requesting a statement of the extent of such lands in this Zilla, showing the extent investigated and confirmed, and that still remaining to be inquired into; and beg to submit the accompanying statement, which will afford all the information required by you.

2. In reply to your 2nd paragraph, I beg to state that the date of the Government letter alluded to in paragraph 4 of my letter of the 23rd February last, No. 62, is 17th November 1828, No. 2189, copy of which, together with that of the Collector's letter, to which it is a reply, I beg to annex, from which it will be seen that Government had authorised the Collector to fix the Salamee leviable on the Vechaneea and Guraneea lands in the Purguna of Parchole, on the death of the then incumbents, at one-half of the full village rate, as proposed by the Collector; but from inquiry, I find that this order has not been brought into effect, as by an order dated 2nd August 1837, of the late Acting First Assistant Collector, Mr. Liddell, then in charge of the Parchole Purguna, the Mamlutdar of that district was directed to act in reference to these lands according to Regulation X. of 1831, since which no measures have been adopted.

3. From column 8 of the accompanying statement, you will perceive that there are lands to the extent of 104,910 beegas 9 w. 2 ww. held rent-free, the validity of the titles of which remains to be inquired into. I have directed the Mamlutdars to prepare notices, and as they are prepared they are signed and issued to the parties, agreeably to the Regulations.

4. I have called upon the Mamlutdar of Mandvee to furnish a statement showing the extent of alienated land in that Purguna, which I will transmit as soon as possible.

I have the honour to be, &c.

(Signed) P. STEWART,
Collector.

Surat Collector's Office, 17*th July* 1848.

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Statement

Statement showing the Amount of Alienated Land in Government Villages, in the Surat Zilla, including Pusaeeta Inam, Girass, Wuzeefa, Vechaneea, Guraneea, Chakriat, Salamee, and Nukra, &c. Lands.

No.	Purgunas.	Total Amount of Alienated Land.			Amount of Land resumed after due inquiry, under Regulation XVII. of 1827, the Title being found defective.			Present Total Amount of Alienated Land.			Amount of Land confirmed to the Holders after due inquiry, under Regulation XVII. of 1827, the Title being acknowledged valid.			Amount of Land under inquiry, on which Notices have been issued.			Amount of Land the validity to the Title of which remains to be inquired into, and on which Notices have not hitherto been issued.		
1	2	3			4			5			6			7			8		
		Beegas	w.	ww.	Beegas	w.	ww.	Beegas	w.	ww.	Beegas	w.	ww.	Beegas	w.	ww.	Beegas	w.	ww.
1	Oolpar	16,836	5	5	.....			16,836	5	5	12	0	0	24	0	0	16,800	5	5
2	Koorsud	33,814	1	10	158	3	10	33,655	18	0	1,268	10	15	403	16	10	31,983	10	15
3	Chowrasee	20,040	3	15	41	0	0	19,999	3	15	15	0	0	53	2	5	19,931	1	10
4	Kurode	4,051	7	5	.....			4,051	7	5	.....			33	10	15	4,017	16	10
5	Walore.....	5,508	10	0	.....			5,508	10	0	.....			.....			5,508	10	0
6	Surbhone.....	2,737	5	0	.....			2,737	5	0	112	18	5	11	0	5	2,613	6	10
7	Soopa	6,390	8	5	.....			6,390	8	5	.....			.....			6,390	8	5
8	Parchole	5,501	13	2¾	11	0	15	5,490	12	7¾	145	13	7¼	99	16	6½	5,245	2	14
9	Chicklee	4,820	5	10	32	4	0	4,788	1	10	37	5	5	250	18	0	4,490	18	5
10	Bulsar	2,824	10	10	.....			2,824	10	10	.....			29	9	0	2,795	1	10
11	Parnera	1,945	16	15	255	6	15	1,690	10	0	.....			7	5	5	1,683	4	15
12	Bugwara	3,446	17	3	.....			3,446	17	3	.....			4	14	0	3,442	3	3
	Total....	107,917	4	0¾	497	15	0	107,419	9	0¾	1,591	7	12½	917	12	6½	104,910	9	2

(Signed) P. STEWART,
Collector.

Surat, Collector's Office, 17*th July* 1848.

No. 58 of 1828.

Territorial Department, Revenue.

To J. Bax, Esq.,

Secretary to Government, Bombay.

Sir,—I have the honour to acknowledge the receipt of your letter of the 23rd August last, calling upon me to state the amount of Salamee which should be imposed on the Vechaneea and Guraneea lands, in the Parchole Purguna, on the death of the present incumbents.

Government letter to. Acknowledging receipt of letter.

The land being of various qualities, the Government rent must depend upon the customary rates of the villages in which it is situated. The amount of Salamee is subject to no fixed rule; it rests altogether on the will of the Government. It seldom amounts to a full rent, and is often as low as one-sixth and one-seventh. In the present instance it is an entirely gratuitous act, and if settled at one-half of the full village rate, it will leave the possessor a saleable property in his estate, and give him no cause to be dissatisfied with the liberality of Government.

Proposing one-half the rent as a Salamee.

I have the honour to be, &c.

(Signed) W. Stubbs,
Collector.

Surat, Collector's Office, 10th November 1828.

No. 2189 of 1828.

Territorial Department, Revenue.

To W. Stubbs, Esq.,

Collector of Surat.

Sir,—I am directed to acknowledge the receipt of your letter dated the 10th instant, and to inform you that the Honorable the Governor in Council authorises you to fix the Salamee, leviable on the Vechaneea and Guraneea lands in the Purguna of Parchole, on the death of the present incumbents, at one-half of the full village rate, as proposed.

I have the honour to be, &c.

(Signed) J. Bax,
Secretary to Government.

Bombay Castle, 17th November 1828.

(True copies)

(Signed) P. Stewart,
Collector.

105531

No. 296 of 1848.

Territorial Department, Revenue.

To D. A. Blane, Esq.,

Revenue Commissioner Northern Division, Poona.

Sir,—I have the honour to acknowledge the receipt of your letter dated 25th July last, No. 1471, requesting to be informed if the decisions with respect to the lands in column 6 of the statement forwarded with my letter dated 17th idem, No. 203, have been reported for the confirmation of Government, as required by Regulation XVII. of 1827; and, in reply, beg to inform you that of the amount of land entered in column 6 of the statement above alluded to, only nine instances, extending over 295 beegas 1 w. 12¼ ww. of land, have been reported to Government and received their confirmation, as shown in the accompanying statement. The remaining 1,296 beegas 6 w. of land were confirmed to the holders; but the proceedings of the Principal Collector, his Assistants, and Assistant Collector, were not submitted to Government for confirmation, as required by Regulation XVII. of 1827.

I have the honour to be, &c.

(Signed) P. Stewart,

Collector.

Surat, Collector's Office, Camp Urajun, 4th November 1848.

Statement

Statement showing the Total Amount of Land in each Purguna, the right to Possession of which has been inquired into by the Principal Collector, his Assistants, and Assistant Collector.

No.	Purgunas.	Total Amount of Land in each Purguna the right to Possession of which has been inquired into by the Principal Collector, his Assistants, and Assistant Collector, admitted by them, and the decision confirmed by Government.	Total Amount of Land in each Purguna the right to Possession of which has been inquired into by the Principal Collector and his Assistants, disallowed by them, but admitted by Government.	Total Amount of Land in each Purguna, the right to Possession of which has been inquired into by Principal Collector, his Assistants, and Assistant Collector, but the Decisions on which have not been submitted to Government for confirmation, as required under Regulation XVII. of 1827.	Remarks.
1	2	3	4	5	6
		Beegas w. ww.	Beegas w. ww.	Beegas w. ww.	
1	Oolpar	12 0 0	.....	.....	
2	Koorsud	25 12 5	A 50 0 0	B 1,192 18 10	A.—Disallowed by the Principal Collector, the late Mr. Forbes. Parties, being dissatisfied, filed a suit in the Surat Adawlut: Principal Collector's decision was partly confirmed. Special Appeal was made to the Sudder Dewanee Adawlut: decree of the Judge reversed, and the land confirmed to the parties accordingly by Government.
3	Chowrasee	15 0 0	.....	.....	B.—Decision by the late Mr. R. G. Chambers, when First Assistant Principal Collector, A. D. 1829.
4	Surbhone	.....	C 46 16 0	D 66 2 5	C.—Disallowed by the Principal Collector, the late Mr. Forbes. Parties, being dissatisfied, filed a suit in the Surat Adawlut: Principal Collector's decision was reversed by the Judge. Government refused permission to make a special appeal to the Sudder Dewanee Adawlut, and the land was confirmed to the parties accordingly.
					D.—Decision by the late Principal Collector, Mr. Stubbs, A. D. 1832.
5	Parchole	32 8 15	E 113 4 12¼	.....	E.—Disallowed by the then Principal Collector, Mr. Vibart, in the instance of 111 Beegas 15 w. 17¼ ww. Parties, being dissatisfied, filed a suit in the Surat Adawlut: Principal Collector's decision was reversed, in consequence of the Acting Principal Collector, Mr. Andrews, who succeeded Mr. Vibart, having admitted the right of the plaintiff; and the land was confirmed to the parties accordingly by Government. In the instance of the remaining 1 beega 8 w. 15 ww. the claim was disallowed by the Principal Collector, Mr. Simson. Parties, being dissatisfied, filed a suit in the Surat Adawlut; but as Government did not authorise the Principal Collector to defend the same, the land was confirmed to the parties.
6	Chicklee	.....	.....	F 37 5 5	F.—Decision by Mr. J. H. Pelly, while First Assistant Collector, A. D. 1843.
	Total..	85 1 0	210 0 12¼	1,296 6 0	

Surat Collector's Office, Camp Urajun, 4th November 1848. (Signed) P. STEWART, Collector.

No. 853 of 1847.

To D. A. Blane, Esq.,

Revenue Commissioner Northern Division, Poona.

Sir,—I have the honour to acknowledge the receipt of your endorsement dated 5th May last, No. 705, on an extract from a Government letter calling for information in regard to the progress which has been made in this Collectorate in the investigation of the validity of rent-free titles to land.

2. In reply, I beg to state that up to this date 1,900 notices have been issued to the occupants of land exempt from payment of public revenue under the provisions of Regulation XVII. of 1827, Section XL. Out of these, 468 have been decided, and have been reported in the form of Half-yearly Registers to Government. The sanction of Government has not, however, been received to such decisions as have been in favour of the holders, without which they cannot be considered as final.

3. The remaining 1,432 undecided notices, most of which were issued in 1827, have all been long pending before the deputed Assistants, but the continual press of other more urgent business has hitherto prevented their being disposed of. Now that the number of Assistants has been reduced, and that under the circular from your department dated 4th January 1847, No. 23, it will be necessary to submit to Government translations of all the proceedings in cases decided in favour of the parties, I fear that there is still less prospect of this investigation being speedily completed. I presume, however, that where notices have been issued, the period of enjoyment would be reckoned only up to their date, so that in such cases the interests of Government are not liable to suffer by the delay which has occurred.

4. It has of late years been the practice in this Collectorate to attach the lands of Inamdars on the death of the incumbent, however valid his title may *primâ facie* be, pending the orders of Government for their continuance or otherwise. In some cases the proceeds of such lands have been credited to Government, and in others kept in deposit. Under the Government circular dated 18th August 1845, No. 4084, this practice has been discontinued as regards Inam *villages*, because the holders, by virtue of their tenure, have claims to money payments in compensation for liquor farms, but is retained in the case of Inam *fields*, as the holders are not entitled to money payments of any kind from Government. I have not hitherto ventured to interfere with what had become an established practice in the Collectorate before I assumed charge of it, although, apparently, not derived from any express order of Government. As a general rule in regard to recognised alienations entered in the accounts without reference to suspicions as to validity of titles, it was introduced after the receipt of the Rules of the 23rd June 1842, for deciding claims to Wurshasuns and *Inam lands*, both which seemed to be placed on the same footing. I would, however, respectfully submit that these Rules, not having any legislative sanction, cannot be held to supersede those laid down in the Regula-

tions, and which, indeed, have continued to be acted on. As a succession does not strengthen a prescriptive right according to the Regulation, and as, in case of a decision against the claim of a holder of land exempt from revenue, the assessment is levied only from the date of that decision, the course to which I have referred does not seem necessary to guard the interests of Government, whilst it is certainly vexatious to Inamdars with good titles, and should, I think, be discontinued, notices being issued when required, if this has not been previously done.

5. Under Section XLVII. of the Regulation above quoted, the Collector is declared, under certain circumstances, not to be competent to leave such questions undecided. If any of the numerous cases now pending should be found to come under this Section, fresh notices must, I presume, be issued; but otherwise, the old notices, mostly of twenty years back, should be retained, it being for the interest of Government to do so.

6. It appears to me that this inquiry, as well as that regarding Wurshasuns, might be brought to a speedy conclusion, if an experienced Assistant Collector were specially employed for the purpose. This might be done without incurring any additional expense, (except for a small establishment,) by transferring temporarily to this Collectorate a First Assistant from Rutnagherry, Kaira, or Surat, where the ordinary amount of work is understood to be less than elsewhere, and where a Second and Third Assistant might probably suffice for a time.

7. It may be a question whether there can be any necessity for formally examining *all* such claims. According to Section XL. Regulation XVII. of 1827, it would seem that it is only when the Collector has reason to believe that no sufficient title exists that it is competent to him to call upon the occupant to defend his claim. At any rate, in cases where Inam lands are held on duly registered deeds, granted by fully authorised public officers, which there are no grounds for calling in question, such a proceeding can scarcely be called for.

I have the honour to be, &c.

(Signed) J. S. Law,
Collector.

Tanna, Collector's Circuit Kutcheree, Ghorebunder, 22nd October 1847.

No. 455 of 1848.

To J. S. Law, Esq.,
Collector, Tanna.

Sir,—I have the honour, with reference to your letter No. 853, of 22nd October last, relative to the investigation into the titles to alienated lands, to request that you will furnish me with a statement of the extent of such lands in your Zilla, showing the extent investigated and confirmed, and that still remaining to be inquired into.

2. I would beg, also, that you will mention if the whole of the uninvestigated lands be included in the notices represented to have been issued, or otherwise, to what extent.

3. The exception of Inam villages from the rule as to reporting successions, alluded to by you in paragraph 4, I understand to be on the grounds of the recognition of the titles inferred to have been conveyed by the grant of compensation for liquor farms, but would wish to be distinctly informed if no more direct recognitions have ever taken place.

4. I would beg that this information may be supplied at your very earliest convenience.

I have the honour to be, &c.

(Signed) D. A. BLANE,
Revenue Commissioner Northern Division.

Revenue Commr.'s Camp, Ahmedabad Districts, Hudala, 15th March 1848.

(True copy)

(Signed) D. A. BLANE,
Revenue Commissioner Northern Division.

No. 494 OF 1848.

To D. A. BLANE, Esq.,
Revenue Commissioner Northern Division, Poona.

SIR,—I have the honour to submit a statement regarding the investigation of titles to alienated lands in this Collectorate, as called for in your letter dated 15th March last, No. 455.

2. As stated in the 2nd paragraph of my previous report dated 22nd October last, No. 853, the confirmation of Government has not been received to the several decisions reported as having been in favour of the holders of such lands. Perhaps this omission might even now be supplied, as on looking over the Half-yearly Registers I find that the grounds of the decisions, especially in the earlier ones, are stated in sufficient detail. I beg to annex a few as specimens, extracted from the Register for the half-year between the 1st July and 31st December 1829, transmitted to Government on the 21st March 1830.

3. The notices issued in 1827 seem to have extended to all the Inam villages and lands entered in the accounts, and others have since been issued from time to time as occasion arose; so that it may be said that the preliminary step has been taken in regard to all the uninvestigated lands as far as known at present, although it is very possible that more may in time be brought to light.

4. I do not find that any general direct recognition by Government of the titles to Inam villages has ever taken place. They were originally continued to the parties in possession according to the list extracted from the Poona

Duftur by the Commissioner of the Deccan. The titles of most, if not all, of those included in the old Collectorate of the Northern Konkun, have been inquired into, and reported to Government in the Registers above referred to.

I have the honour to be, &c.

(Signed) J. S. Law,
Collector.

Tanna, Collector's Office, 5th June 1848.

Statement showing the extent of Alienated Lands investigated, and that still remaining to be inquired into.

Investigated.

2,386 beegas, 8 pands, 7 katees.
49 mooras, 8 furras, 8 pailies.
22 kass.
25¼ ploughs.
36 hons.

Annual value of Hoondas, &c. of the extent of which there is no record of any kind ..... Rs. 439 7 0

Uninvestigated, as entered in the notices remaining to be decided.

2,553 beegas, 17 pands, 17½ katees.
580 mooras.
2¼ kass.
12⅛ ploughs.
13 hons.
495 tukhas.
1 khundy, 5 maunds, 6 pailies.

Annual value of Hoondas, &c. of the extent of which there is no record of any kind ..... Rs. 1,042 4 2

(Signed) J. S. Law,
Collector.

Tanna, Collector's Office, 5th June 1848.

Extract from the Register of Decisions on Claims to hold Land wholly or partially exempt from the payment of Land Revenue by the Collector of the Northern Konkun, from the 1st July to the 31st December 1829, with reference to Chapters IX. and X. Regulation XVII. A. D. 1827.

No. of Case.	No. of Notice.	Talooka.	Names and Places of Residence of Possessors of Land.	Cause of Inquiry, Extent of Land, &c., and Date of Notice.	Cause and Nature of Decisions.	Remarks.
1	561	Sakoorlee....	Trimbuk Narayen Purchooray, deceased; Wishwanath Gunesh Nisbut Ram Rao Kassinath Purchooray, of Goohagur, in the Unjunwell Talooka.	Refusal to pay the assessment of Mouje Assenolee, Turuf Korekada, Talooka Sakoorlee, situated near the Mouje Kamgaum, Turuf Munvul, which is held at Anna Cheter, —18th Oct. 1827.	Ram Rao Kassinath Purchooray holds the village Kamgaum on account of the Anna Cheter for the Shree Poorundey Iswer Pooja, and offering. On the 17th April 1828 Mr. Simson, the Collector, ordered the Komavisdar to continue the village till the grant was confirmed, and in the column "Remarks" of Case No. 26 of Register of Decisions from 1st January to June 1828, the Collector noted "a further representation of this case will be made to Government." It would appear that Rs. 1,500 is paid in cash, and the village in question yielding Rs. 1,500 enjoyed, making a total of Rs. 3,000. Regarding the question whether the holder is to account to the Sirkar for the actual disbursements, it is not specified in the English Poona book of all the Inams and Dhurmadeos that annual accounts are to be given. The accounts of the Anna Cheter for the years 1797-98 and 1799-1800 are in the Duftur; but these are old, and none of a later period are forthcoming. The Peshwa himself granted a Sunud in the year in which the Nemnook was given; it is dated 12th Shaban Sun Summan Tissayen (corresponding to A. D. 1797-98). This was entered in the Poona book on the 6th July 1826, and is signed as having been so registered, by Mr. Warden. There is nothing to show that the	See Register of Decisions from 1st January to 30th June 1828, No. 26.

					holder is bound to give an annual account of the appropriation. Ordered, therefore, that the Nemnook be continued as heretofore. Order to this effect sent to the Dufturdar on the 6th July 1829.
3	576	Bassein.....	Balum Bhut bin Bappoo Bhut Kurvee, of the Moujé Kowad, Turuf Sonalee.	Refusal to pay the assessment of 11 beegas of Khureef land in the village Kowad, Turuf Sonalee.—16th Nov. 1827.	Balum Bhut acknowledged the receipt of the notice, and signed it. He produced a Sunud dated the 11th Mohurum, Sun Ussareen (A. D. 1719-20), signed by Balajee Wishwanath Peshwa, granting Govind Bhut bin Narayen Bhut 6 beegas of Khureef land in perpetuity in the village of Kowad, Turuf Sonalee. On Govind Bhut's death, the land was confirmed by another Sunud, granted by Bajee Rao Bullal Peshwa in perpetuity to Keshow Bhut bin Narayen Bhut, dated 15th Suffer, Sun Sut Ussareen (A. D. 1725-26). The above two Sunuds were for 6 beegas of land. On the 7th Suffer, Sun Sullas Ussareen (A. D. 1722-23), the Peshwa, Bajee Rao Bullal, gave a Sunud to Keshow Bhut bin Narayen Bhut, granting him 5 beegas of land in the Moujé Poravully. The land granted by the above three Sunuds is 11 beegas, which Kurvee enjoyed without interruption to this day. In the Zhurtees of Sun Eesnai Subbeyn (A. D. 1771-72) and Sun Sullas Ussar (A. D. 1812-13) 11 beegas of land are entered to the name of the above individual, valued at Rs. 55, from which is deducted, on account of the Zemindar's Huks, Rs. 2-1-50, leaving Rs. 52-2-50 entered as above. In the Zemindar's Taleebunds, 11 beegas of land are entered in the name of Kurvee, valued, with the Zemindaree, at Rs. 55. The defendant has further proved his descent from Balum Bhut bin Bappoo Bhut Kurvee. For the above reasons, ordered, in conformity to the provisions of Clause 1st, Section XXXV. Regulation XVII. A. D. 1827, that the land

No. of Case.	No. of Notice.	Talooka.	Names and Places of Residence of Possessors of Land.	Cause of Inquiry, Extent of Land, &c., and Date of Notice.	Cause and Nature of Decisions.	Remarks.
					be continued as heretofore in the possession of Balum Bhut bin Bappoo Bhut Kurvee from A. D. 1829-30. Order to the above effect sent to the Komavisdar of Talooka Bassein.—27th July 1829.	
5	698	Sakoorlee....	Peer Munsoor Khan Durgah, Kusba Shapoor by Shaik Oosman wulud Jaffer Shah Fakeer, of the same village.	Refusal to pay the assessment of half the village of Tooley, in the Turuf Agai, Talooka Sakoorlee, which he holds in Mahsoolee Inam; and the other moiety in like manner, including the Ghurvan, both of which he holds in farm on account of the Peer Munsoor Khan.—27th Dec. 1827.	Shaik Oosman wulud Jaffer Shah Fakeer acknowledged the receipt of the notice, and signed it. He produced an Aignia Puttr, signed by Bajee Rao Bullal Prudhan, dated Sun Subha Fallaseen (A. D. 1736-37), to the Mokadums of the village, the original of which has been recorded in the Duftur. Also a Zhurtee signed by Govind Mahadeo Adikaree, of the same Turuf, for the Sun Seet Tissayn (A. D. 1795-96), and named witnesses, who state in their depositions that half of the village in question is his Mahsoolee Inam. This portion is rated at Rs. 38-1-0. The other moiety they say belongs to the Sirkar, which, together with the Ghurvan, is rated at Chinchooree Rs. 45-1-0, and was enjoyed many years by the manager of the Peer Munsoor Khan Durgah, Kusba Shapoor, as the ancient servant of the Peer. Admitted, therefore, in conformity to the provisions of Clause 2nd, Section XXXVIII. Regulation XVII. A. D. 1827. Ordered, in reference to Section XXXVII. of the same Regulation, that half the village be held on Khyrat, and half in Mukta, as above, from 1829-30. Order to this effect sent to the Komavisdar of the Sakoorlee Talooka, on the 17th August 1829, No. 97.	

7	720	Nusrapoor ..	Annajee Rao Belasee, present occupants Kunde Rao Belasee, and Gungajee Rao Belose, of the Moujé Navalley.	Refusal to pay the assessment of the village Nevalley, Turuf Wusseree.—27th Dec. 1827.	Both the occupants acknowledged the receipt of the notice, and signed it. They produce the original Sunud, dated in Sun Sullas Subbeyn (A. D. 1772-73), granting Anajee Rao Belosee the village in Inam in perpetuity, and signed by Narayen Rao Bullal Prudhan. This does not appear to have been recorded in the Duftur according to custom. The Sunud, however, bears the signature of the Peshwa himself, and they held the village upon the strength of it. Ordered, therefore, in conformity to the provisions of Section XXXVII. Regulation XVII. A. D. 1827, that the village be continued to them as heretofore, from 1829-30. It is rated at Rs. 255-1-25. Order to the above effect sent to the Acting Komavisdar of the Nusrapoor Talooka.—20th August 1829, Kullian No. 128.
10	314	Ditto	Ramchunder Chintamun Joshee Gondgakur, for and on behalf of the Suwusthan Shree Vydenath, Moujé Hoomgaum, Turuf Kothul Kullate.	Refusal to pay the assessment of 3 beegas of land in Moujé Gunnegaum, Turuf Kothul Kullate.—5th Sept. 1827.	Ramchunder Chintamun acknowledged the receipt of the notice, signed it, and attended on the 3rd October 1827. He gave in a petition. Referring to the notice, it was found that he attended six days after the prescribed time. He pleaded indisposition as an excuse. He filed Sunuds signed by Bajee Rao Rugoonath Prudhan, dated Sun Subhan Ussee (A. D. 1816-17), one to the address of the Mamlutdar, a second to the Zemindars, and a third to the Mokadums of the Moujé Gunnegaum, all three in favour of Chintamun Joshee Gondgakur and Wassoodeo Bhut Abeyankur, granting them 3 beegas of land, and desiring them to appropriate the revenue of the aforesaid 3 beegas of land, Rs. 15, to the Shree Oochan. Neither of these appears to have been recorded in the Duftur, according to custom. In explanation of this omission, he said he had not the Sunuds in his possession at the time. This is a valid

No. of Case.	No. of Notice.	Talooka.	Names and Places of Residence of Possessors of Land.	Cause of Inquiry, Extent of Land, &c., and Date of Notice.	Cause and Nature of Decisions.	Remarks.
					reason. In the Poona lists of Dewusthans, Dhurmadeos, and Inams, received from Bombay, the land is entered likewise in the Poona book sent to Tanna. The Sunuds are addressed to the Mookhteyar Adikaree, as directed in Section XXXV. Regulation XVII. of 1827. Ordered, therefore, in conformity to the provisions of Section XXXVII. Regulation XVII., that the land be continued as heretofore from 1829-30, and that the revenue, Rs. 15, be appropriated for the Shree Vydenath. Order to the above effect issued to the Komavisdar of Nusrapoor, on the 5th September 1829, Kullian No. 138.	
15	348	Sakoorlee....	Deojee bin Maljee Banlai Rao Adikaree, and Bhyrjee bin Sumbhajee Banlai Rao Adikaree, of the Turuf Rahoree, Moujé Kunevully.	Refusal to pay the assessment of the villages Moujé Kunevully and Moujé Washelah, in the Turuf Ravoor, which they hold in farm.—29th Nov. 1828.	The Vyvatdars attended within the time prescribed in the notice, and filed petitions. It appeared, on investigation, that both the villages were given to the holders in Esaput Mukta on the 25th March 1822, on the Beriz of 1816-17, as follows :— Moujé Kunevully.... Rs. 758 2 12 Moujé Washelah.... 687 3 50 Total.... Rs. 1,446 1 62 The village Washelah was surveyed in 1827-28, and the land rated at Rs. 5½ per beega, thereby estimating Rs. 487-1-40 by survey more than the Beriz of 1816-17. The Ryuts of this village presented a petition to the Hoozoor on the 12th April 1828, begging that it be taken under the protection of Government, or that it be given to them in farm, offering	

					to pay Rs. 125 annually more than the Adikaree. They complained of being oppressed by the Adikaree, and stated that he held both villages as Khote for a short time under the late Government, and that he was afterwards dispossessed of both. They begged that it be resumed by Government, for both the above reasons. The Adikaree, on the other hand, produced the kutcha accounts of the villages, which did not exhibit any very great profit in his favour. Regarding the right of Government to resume Esaput villages, it appears to have been the custom under the late Government to order the survey of Esaput villages at the same time as all other villages, in the event of the Mahal in which both are situated being surveyed, to raise the assessment to the survey rates, and in the event of the Esaputdars refusing to pay the increase, for Government to resume the village. The Ryuts of the village Washelah were desired to file a complaint, stating the particulars of the Muktadar's oppression, and in conformity to the provisions of Section XXXVII. Regulation XVII. of 1827, it was ordered that both the villages be continued to the Adikaree according to former order, from 1829-30 till the completion of the survey of the Mahal in which they are included, or till they refuse to pay the survey assessment. Order to the above effect issued to the Acting Komavisdar of the Sakoorlee Talooka, on the 16th October 1829, No. 161.
19	563	Bassein.....	Ramchunder Juggonnath, of the Moujé Budaney, Turuf Sonalee.	Refusal to pay the assessment of half the village of the Moujé Budaney, which he holds in Inam, and the Ghurvan of the	Ramchunder Juggonnath acknowledged the receipt of the notice, and signed it. He died two months ago. Shamrao Juggonnath attended in lieu of the deceased, and produced an original Sunud, signed by Bajee Rao Bullal Prudhan, dated 17th Rubee-ool-Akhur Sun Seet Ussaryen Mya wu Ulluf (A. D. 1725-26), to

No. of Case.	No. of Notice.	Talooka.	Names and Places of Residence of Possessors of Land.	Cause of Inquiry, Extent of Land, &c., and Date of Notice.	Cause and Nature of Decisions.	Remarks.
				whole village.—2nd November 1827.	the address of Mahadajee Krishna Prubhoo, advising him of half the village, together with the Koolbub, Koolkunnoo, Haleeputtee, Pesterputtee, water, and trees, grass, stones, Needy, Neekshep, &c. having been given in Inam. This Sunud has been recorded in the Duftur. He likewise showed four Daklas of the Soobadars and Komavisdars of the late Government, antecedent and subsequent to the years 1803-04. Further, it is proved that he held half the village in Inam, and the whole of the Ghurvan, from the time of the cession to the Company. Ordered, therefore, in conformity to the provisions of Clause 3rd, Section XXXV. Regulation XVII. A. D. 1827, that it be continued jointly as heretofore, from 1829-30, to Shamrao Juggonnath, Ram Rao Yeshwunt, Naroo Bhugwunt, Vamun Bajee Rao, Shewa Ram Myput, Hybut Rao Moreshwur, and Gunnesh Sudasew, total seven sharers. The Inam is rated at Rupees 701-3-0, which is to be entered annually in the Inam accounts. The Jummabundee of the whole village to be made by the Sirkar, and the amount alienated as above. The whole of the Ghurvan and half the village to be deducted in favour of the Inamdars. One-half only to be entered in the Sirkar Vussool Bawkee, and the other half to be paid to the Inamdars. The Surpatelkee allowance belongs to the Sirkar, and is to be deducted from the half of the Inam equally with the other half. Order to the Komavisdar of the Talooka Bassein, dated 9th November 1829, No. 137.	

(True extract) (Signed) J. S. Law, Collector.

No. 595 of 1847.

To the Revenue Commissioner Northern Division.

Sir,—With reference to your endorsement No. 705, under date the 5th instant, on extract from Government letter No. 1219, of the 30th ultimo, I have the honour to refer you to Mr. Collector Bell's letter No. 551, under date the 28th June 1845, as containing a full exposition of the state of the inquiries into rent-free lands in this Collectorate. Mr. Bell's letter was replied to by Mr. Secretary Townsend in a communication to the Revenue Commissioner, No. 5346, of the 14th November following.

I have the honour to be, &c.

(Signed) G. Inverarity,
Acting Collector.

Khandeish Collector's Office, Camp Moolair, 10th May 1847.

No. 1796 of 1848.

To the Revenue Commissioner Northern Division.

Sir,—As directed in your letter No. 456, dated the 15th March last, I have the honour to transmit, enclosed, a statement of the extent of Inam land in this Collectorate, showing the extent investigated and confirmed, and that still remaining to be inquired into.

I have the honour to be, &c.

(Signed) A. Elphinston,
Collector.

Khandeish Collector's Office, Dhoolia, 22nd November 1848.

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Statement

Statement of the Extent of Inam Land in the Khandeish Collectorate, showing the extent investigated and confirmed, and that which still remains to be inquired into, as required by the Revenue Commissioner's Letter No. 456, *dated the* 15*th March* 1848.

Talookas.	Inam investigated, and confirmed by Government.						Inam still remaining to be inquired into.						Total in Inam Land.					
	Extent in Beegas.			Amount.			Extent in Beegas.			Amount.			Extent in Beegas.			Amount.		
	Beegas	p.		Rs.	a.	p.	Beegas	p.		Rs.	a.	p.	Beegas	p.		Rs.	a.	p.
1. Dhoolia	14,307	18½		12,619	0	0	.....			.....			14,307	18½		12,619	0	0
2. Amulnair	14,164	14½		15,635	1	6	11,339	13		13,643	11	3	25,504	7½		29,278	12	9
3. Erundole	20,155	6¼		29,901	7	6	.....			.....			20,155	6¼		29,901	7	6
4. Bhurgaum	17,278	19¼		16,255	7	9	1,471	5		1,273	11	9	18,750	4¼		17,529	3	6
5. Chaleesgaum	4,122	1¾		2,539	11	6	6,215	10¾		4,316	14	9	10,337	12½		6,856	10	3
6. Malligaum	9,435	12		6,462	8	3	11,262	10¾		6,008	11	3	20,698	2¾		12,471	3	6
7. Baglan	8,227	13½		7,538	2	6	13,727	2¾		9,541	13	6	21,954	16¼		17,080	0	0
8. Pimpulnair	5,288	10		5,357	2	6	8,894	4½		5,354	7	0	14,182	14½		10,711	9	6
9. Nundoorbar	.....			.....			56,720	9		80,165	4	3	56,720	9		80,165	4	3
10. Sooltanpoor	673	12		1,091	11	0	20,938	2		33,641	12	9	21,611	14		34,733	7	9
11. Thalnair	10,717	10		18,415	2	3	19	10		36	7	6	10,737	0		18,451	9	9
12. Chopra	19,143	10		36,889	10	6	4,210	15½		4,758	15	3	23,354	5½		41,648	9	9
13. Yawul	13,445	1½		19,425	3	3	.....			.....			13,445	1½		19,425	3	3
14. Sowda	17,620	5		33,577	5	6	884	10		725	2	0	18,504	15		34,302	7	6
15. Nusseerabad	17,066	7¾		29,107	13	3	.....			.....			17,066	7¾		29,107	13	3
16. Jamnair	15,892	6		15,957	9	0	302	5		156	8	9	16,194	11		16,114	1	9
Total	187,539	8		2,50,773	0	3	135,985	18¼		1,59,623	8	0	323,525	6¼		4,10,396	8	3

(Errors excepted)

(Signed) A. ELPHINSTON, Collector.

Khandeish Collector's Office, Dhoolia, 22*nd November* 1848.

No. 125 of 1848.

To D. A. Blane, Esq.,

Revenue Commissioner Northern Division, Surat.

Sir,—In reply to your letters as per margin, calling for a report on the state of the inquiry into the validity of rent-free titles, I have the honour to give you the following information.

Endorsement No. 705, of the 5th May 1847, from the Revenue Commissioner Northern Division.
Reply from the Agent, 25th May 1847, No. 125.
Letter 7th June, No. 933, from the Revenue Commissioner N. D.
Reply from the Agent, 30th June, No. 173.
Letter 7th July, No. 1113, from the Revenue Commissioner N. D.
Reply from the Agent, 31st July, No. 214.
Letter 4th August, No. 1285, from the Revenue Commissioner Northern Division; and letters Nos. 1851 and 264, dated respectively 19th November 1847 and 12th February 1848.

2. There is a sum of Rs. 14,722-2-6 alienated in Inam, under the following heads:—

For lands granted in Inam, *i. e.* the three villages Ambeeghur, Koorkoondee, and Koortumbee .... Rs.	1,833	10	1
For ditto granted for charitable purposes, three villages, Kotghur, Warrow Khoord, and Wunowlee.	1,031	12	10
Miscellaneous grants on rice and garden land, cocoa-nut and toddy trees.....	4,755	11	0
Endowments to Hindoo and Mahomedan shrines of saints, and temples, viz. three whole villages, Sogoon, Narrungee, and Wullowlee, and half of three villages, Chinchowlee, Khar Peramba, and Moujé Peramba	7,101	0	7
Total....Rs.	14,722	2	6

3. I do not believe that any other lands in Colaba, besides the above, are held free of rent, except Kowlee land, of which the period of exemption has not yet expired. Some of these, however, require investigation, as these Kowls were granted by the late Dewan without due authority, after the decease of the late infant child Ranojee Angria. My predecessor, Mr. Davies, caused all persons to register their Sunuds, and 189 of these were registered, amounting to Rs. 12,576-6-9, leaving Rs. 2,145-11-9 of the whole amount alienated, of which the title-deeds have not yet been registered. One of the unregistered title-deeds is that of the villages of Koorkoondee and Koortumbee, Rs. 1,412-9-4, held in Inam by the Chitnees of the Raja of Sattara for as many years back as the accounts of this State extend, *i. e.* 1814-15, of the title to which there is no doubt. The remaining Rs. 733-2-5 is composed of,—

Dewusthan ..... Rs.	422	10	7
Dhurmadaee	122	11	10
Special reward	32	2	9
Inam	135	9	3
Total.... Rs.	733	2	5

4. The investigation which remains to be made is as follows:—

1*st.*—What relationship do the present incumbents bear to the original grantees ?

2*nd.*—Of those who have no title-deeds, to trace back the origin of the grants from the accounts of the late State.

3*rd.*—To inquire into the claims of those holding lands exempt from rent, whose Sunuds are not expressly made hereditary.

5. I beg to state that I have not had time for making these inquiries; but it is my intention to devote myself to them during the time of the close of the civil business of the Court of Alibagh, viz. during the latter end of April and the whole of May next.

I have the honour to be, &c.

(Signed) E. C. Jones,
Agent at Colaba.

Agent's Office, Alibagh, 4th March 1848.

No. 682 of 1849.

Territorial Department, Revenue.

To W. Courtney, Esq.;
Acting Secretary to Government, Bombay.

Sir,—With reference to my predecessor's letter No. 2375, of the 5th December last, submitting for the information of the Right Honorable the Governor in Council a correspondence from the Collectors of this Division regarding the large amount of alienated lands in the various Zillas, and the very unsatisfactory condition of the claims and titles to this considerable property, I do myself the honour to observe that the amount of this alienated property would appear, by a letter submitted to Government by Mr. Blane, No. 935, dated 19th May 1848, reporting on a code of Rules drawn up by the Inam Commissioner of the Southern Muratha Country, to be estimated for both divisions at an annual valuation of Rs. 82,14,787-15-8 for the year 1846-47, of which large amount Rs. 36,71,034-8-2 appertained to this division (vide figured statement following), distinguishing Rs. 8,09,413 as service lands to Patels, Koolkurnees, and others, and leaving Rs. 28,61,621-8-2 as the amount wholly alienated from Government.

Divisions.	Amount entered in col. 6 of Statement A, accompanying Collector's Annual Reports for 1846-47.			Amount entered in col. 8 of Statement A, accompanying Collector's Annual Reports for 1846-47.		
	Rs.	a.	p.	Rs.	a.	p.
Ahmedabad	80,394	15	0	8,18,166	9	3
Kaira	74,989	4	11	8,48,053	8	10
Surat	1,01,951	6	6	4,88,086	3	5
Broach	171,731	1	2	7,50,518	5	8
Tanna	37,768	0	8	1,95,931	7	10
Khandeish	3,42,578	3	9	5,56,364	1	0
Agent at Colaba	....			13,914	4	2
Total Northern Division	8,09,413	0	0	36,71,034	8	2
Total Southern Division	22,39,155	6	5	45,43,753	7	6
Total Northern and Southern Divisions	30,48,568	6	5	82,14,787	15	8

2. The Collectors of this Division, with the exception of the Agent at Colaba, who promised to commence an inquiry, but has as yet made no report, are unanimous in the opinion in the correspondence alluded to and at present before Government, that they have not the means or necessary aid to commence an inquiry into these titles and claims with any reasonable anticipation of drawing the investigation to a satisfactory result.

Mr. Fawcett, the Collector of Ahmedabad, in his letter No. 255, of the 3rd September 1847, states,—"It has not been practicable to make much progress in this work, which, in my humble opinion, would require the undivided attention of an experienced officer for some years. I do not, however, see any probability of Government having at disposal any covenanted officers to appoint, and the only feasible mode of forwarding this investigation that occurs to me is to authorise Mamlutdars to decide upon titles to exemption."

Mr. Webb, the Collector of Kaira, replies, in paragraphs 5, 6, and 7 of his letter No. 432, of the 23rd December 1847:—"The small quantity of land entered in the statement as having been allowed to be enjoyed during the lifetime of the parties must have been, in all probability, granted through a compassionate consideration of their distressing circumstances, and will sooner or later be escheated to Government.

"With regard to the lands whose tenures remain to be investigated, notices have been served on a small quantity without any previous inquiry, and merely because they are the property of private individuals. In a great many cases the Salamee or quit-rent and the Suwadeea levied on alienated lands is just the same, or nearly equal to what they would yield if they were Government lands.

"The tenures in column 15 being for the most part recognised by Regulation XVII. of 1827, the titles to lands held under them cannot be disputed."

Mr. Davies, the Collector of Broach, in the 11th and 12th paragraphs of his letter No. 264, of 13th December 1847, submits:—"With regard to the manner of dealing with the inquiry yet unperfected in this Zilla, it would be presumptuous in me to offer an opinion at this stage of the question. Regarding, however, the signally unsuccessful result of the desultory attempts hitherto made from time to time for asserting the rights of Government, there would appear to be no chance of arriving at anything satisfactory if the investigation is to be resumed by the unassisted agency of the present establishment of the Zilla at the point where the Survey Committee's inquiry ceased. I find, indeed, that during the last ten years from three hundred to four hundred notices (under Section XL. of Regulation XVII. of 1827) have been issued for the trial of doubtful claims, but that not more than three of these have been brought to issue, one of the latter being the case laid before you with my letter No. 147, of the 14th July last, which case itself was of several years' standing. The utmost that can reasonably be looked for from the permanent establishment would appear to be a strict and uniform application of the Rules to lapses occurring in resumable tenures in those Talookas where the Survey Committee have already paved the way.

"With regard to the arrears of notices referred to in the foregoing paragraph, I cannot undertake to state that there is the least probability of ever bringing them to issue in the ordinary course: each case, indeed, would be equivalent to a civil suit (conducted as it is directed they should be in Section XLII. Clause 1st of Regulation XVII. of 1827), with the concomitant delay, expense of process, and ultimate right of appeal appertaining to civil process; and such an investigation, even if practicable, in addition to the other current buisness of a Collector and Magistrate's Office, would be slow and uncertain, and wholly inadequate to meet the end in view. In fact, nothing more feasible suggests itself than that a competent Committee (of which the Collector might be a member) should prosecute the investigation, uninterrupted by the miscellaneous calls which interfere to distract the attention of the local officers from any exclusive subject of inquiry."

Mr. Stewart, the Collector of Surat, in paragraphs 2 and 3 of his letter No. 62, of 23rd February 1848, states:—"From the above it would appear that in the Purgunas of Walore and Chicklee, sixty-three villages of the Bugwara Purguna, and eighteen villages of the Kurode Purguna, no regular survey or measurement has taken place, although throughout the whole Collectorate lands have at various times been resumed and assessed, both Sirkaree and Maafee, when instances of their being held without title have been brought to the notice of the Collector; and it would appear that Mr. Simson, in the year 1841, directed that Wudara land to a great extent should be assessed, and the proceeds brought to the credit of Government, and in case payment should be refused, that notices should be issued in usual manner, calling on the holders to prove their titles under Regulation XVII. of A.D. 1827.

"Government, in its letter No. 1087, dated 12th April 1842, paragraph 14,

called the attention of the Collector to the importance of immediately attending to this subject, lest the period that had elapsed might prove fatal to the claims of Government to its fair assessment; and Mr. Simson issued many hundred notices under the Regulations, but no great progress appears to have been made in the inquiry,—probably, as suggested by Mr. Simson in the 25th paragraph of his Jummabundee Report for 1840-41, dated 21st September 1841, No. 301, from the various other important and pressing duties to which the attention of the Collector was necessarily directed."

Mr. Law, the Collector of Tanna, in the 6th paragraph of his letter No. 853, of 22nd October 1847, states,—"It appears to me that this inquiry, as well as that regarding Wurshasuns, might be brought to a speedy conclusion if an experienced Assistant Collector were specially employed for the purpose. This might be done without incurring any additional expense (except for a small establishment), by transferring temporarily to the Collectorate a First Assistant from Rutnagherry, Kaira, or Surat, where the ordinary amount of work is understood to be less than elsewhere, and where a Second and Third Assistant might probably suffice for a time."

Mr. Elphinston, the Collector of Khandeish, offers no suggestion, but submits a statement showing that in his Zilla there are 323,525 beegas 6¼ pands of alienated land, of which the claims to 135,985 beegas 18¼ pands are remaining to be inquired into.

Mr. Jones, the Agent at Colaba, reports that no specific inquiry into the claims of alienated lands has been made, and in the 5th paragraph of his letter No. 125, of 4th March 1848, intimates,—

"I beg to state that I have not had time for making these inquiries; but it is my intention to devote myself to them during the time of the close of the civil business of the Court of Alibagh, viz. during the latter end of April and the whole of May next."

3. Fully impressed with the extreme importance of commencing an investigation into these claims as early as possible, and that the Collectors of the different Zillas have not really at their disposal either time sufficient or the assistance indispensable to commence the inquiry with any fair prospect of bringing it to a speedy or satisfactory conclusion, I have not deemed it necessary to make any further references to those officers than such as have already been done by Mr. Blane, by which no advance towards a final settlement is likely to arise, while protraction and delay are adding to its difficulties, and conveying, under the provisions and limitations of Regulation VI. of 1833, a legal title to many lands originally fraudulently possessed and surreptitiously enjoyed.

4. To meet this emergency, I would respectfully suggest that an officer should be specially appointed as an Assistant to the Collectors of this division and Agent at Colaba, invested with powers to at once commence an inquiry into the titles of alienated land, and to be guided in his investigations by the Rules drawn up by Mr. Hart, the Inam Commissioner of the Southern

Muratha Country, and approved by Government,—vide its letter No. 1213, of 20th February 1849, to the Revenue Commissioner Southern Division, copy of which was forwarded for the information of this department on the same date,—

1st.—To arrange the alienated lands of each Zilla into a comprehensive form, showing the title upon which they were claimed.

2nd.—To submit the claims to alienated lands as were obviously fraudulently held, for sequestration, or otherwise for the Collector's final orders.

5. The great importance of an investigation of these claims before the period of limitation has expired, as provided for in the Regulation quoted in paragraph 3 of this letter, has induced me respectfully to submit this suggestion for the early consideration of the Right Honorable the Governor in Council. I do not propose to relieve the Collectors of any part of their present responsibility; my object is to extend to them that aid without which no settlement can be made, and to render the mode of conducting this inquiry as little expensive as possible to Government. The establishment required for the special Assistant, with the exception of one English writer and one Karkoon, should be, I am of opinion, taken from the Collector's department in whose Zilla he may be employed, and a quarterly report through the Collector, exhibiting the progress made, should be furnished to this department, for the information of Government.

6. An investigation into the titles of the large amount of alienated and service land, possessing in this division an annual income estimated at Rs. 36,71,034-8-2 (upon which no inquiry would ever appear to have been made), is an operation which the interests of Government demand, and admits of no delay, as Regulation VI. of 1833 conveys a legal and indisputable title to the possessor of lands, whenever such have been enjoyed without payment of public revenue for more than thirty years in succession by any persons, his heirs, or others deriving right from him.

I have the honour to be, &c.

(Signed) A. N. Shaw,
Revenue Commissioner Northern Division.

Revenue Commr.'s Camp, Alibagh, 9th April 1849.

No. 2052 of 1849.

Territorial Department, Revenue.

To H. E. Goldsmid, Esq.,
Secretary to Government, Bombay.

Sir,—With reference to my letter No. 682, of 9th April last, I do myself the honour to forward a report, No. 318, of 2nd instant, from the Collector of Surat, recommending the adoption of some "extraordinary measures" for the

disposal of the claims to alienated lands in that Zilla; and as I believe the subject is at present under the consideration of the Right Honorable the Governor in Council, I respectfully beg to submit Mr. Fawcett's letter for the information of Government.

I have the honour to be, &c.

(Signed) A. N. SHAW,
Revenue Commissioner Northern Division.

Revenue Commr.'s Camp, Poona, 9th October 1849.

No. 318 OF 1849.

TERRITORIAL DEPARTMENT, REVENUE.

From E. G. FAWCETT, Esq.,
Collector of Surat,
To A. N. SHAW, Esq.,
Revenue Commissioner Northern Division, Poona.

Dated 2nd October 1849.

SIR,—I have the honour to forward for your information a memorandum of the state of the notices issued under the provisions of Chapter X. Regulation XVII. of 1827, for the resumption of alienated lands.

2. It appears that my predecessor, upon the correspondence which took place with your department ending with the letter dated 4th November 1848, No. 296, to avoid the chance of the term of thirty years expiring, and thereby causing prejudice to the interests of Government, ordered notices to be issued upon all alienated lands that had not hitherto been investigated.

3. The number of notices on hand is therefore enormous, no less than 15,014 being issued in consequence of this order, in addition to 996 which were previously issued, the investigation of which has not been concluded; making altogether 16,010 cases to be disposed of.

4. Of these some few, as will appear from the memorandum, will be struck off for non-appearance, but still the number remaining is so great that there seems no likelihood of the present establishment being able to dispose of them for years to come, while all this time the holders are in a state of uncertainty as to the validity of their tenures.

5. Added to this, notices have not been issued in the newly acquired district of Mandvee, as the urgency of the reason for issuing the notices in the old Purgunas does not exist there, and the number of notices issued seems to preclude any likelihood of being able to dispose of more notices even if issued. The term of years prescribed having nearly the whole period to run, the urgency of the investigation in this Purguna is not so great, and the notices may be issued hereafter.

6. Under these circumstances, I beg to suggest that some extraordinary

measures should be taken for the disposal of this business, which probably will be attended with advantage to Government, by the resumption of lands held without valid title, and which cannot be disposed of by the regular establishment without materially interfering with the usual course of business.

I have the honour to be, &c.

(Signed) E. G. FAWCETT,
Collector.

Surat, Collector's Office, 2nd October 1849.

MEMORANDUM.

	Beegas	w.	ww.	Notices.
Number of Notices ordered to be issued in the Surat Collectorate, excepting the Purguna of Mandvee	104,885	4	0¾	15,014
Notices served.				
Girass land	35,279	10	0	1,813
Hareea do	349	9	5	48
Vechaneea do	1,010	11	5	97
Guraneea do	155	0	5½	24
Dewusthan & Dhurmada, Pusaeeta, &c.	11,564	8	10	3,806
Chakuriat or service ditto	33,737	16	5	8,073
Wuzeefa ditto	22,788	8	10¼	1,153
Total	104,885	4	0¾	15,014
Answers given within the prescribed time.	62,772	5	19¾	7,929
Ditto given in after the time had expired.	2,823	16	5	437
	Notices.			
Admitted for due reasons shown.	120			
Rejected	317			
	437			
No answers given	35,544	1	11	6,445
Time expired	1,772			
Time not expired	4,673			
	6,445			
Notices remaining to be served	3,745	0	5	203
Beegas ..	104,885	4	0¾	15,014 Notices.
Add number of Notices issued up to 1847 still undisposed of				996
				16,010 Notices

(Signed) E. G. FAWCETT,
Collector.

Surat, Collector's Office, 2nd October 1849.

LETTER No. 591.

To C. J. ERSKINE, Esq.,

Deputy Secretary to Government, Bombay.

SIR,—I have the honour to submit the following observations on the expediency of the enactment by the Supreme Government of India of a Rule which would place the Inam Commission on a more definite and satisfactory basis, and render it far more efficient and generally useful than it has been during its past, and what may be called probationary state of existence.

2. I earnestly solicit the attention of Government to the fact that although the Rules for determining titles to Inams, &c. which now exist have been found sufficient* to meet the exigencies of all cases yet brought forward, and therefore no extension of *them* appears necessary, still the machinery now available for the application and enforcement of these Rules is evidently deficient, and there can be no doubt that an enactment which would remedy this deficiency, by enabling Government to commit the administration of the Rules it has approved of† to this Commission, would be of great public advantage, as tending to increase its utility in a mode which Government has already declared desirable, though obliged to abandon it for the present in consequence of the defective state of the law.

3. When the Regulations of A. D. 1827 were introduced into the Deccan, Khandeish, and the Southern Muratha Country, it was observed that the Rules contained in them for the conduct of investigations into the titles of rent-free lands were inapplicable to these provinces; and, therefore, the civil courts here established were very properly debarred by law‡ from enforcing them, the adjudication of the titles in question remaining entirely in the hands of Government.

4. But now that the establishment of the Inam Commission has rendered necessary the adjudication, in each year, of more than a hundred times the number of Inam cases previously brought forward (and this proportion must yet increase), Government has found, as stated in the Chief Secretary's letter No. 1900, dated 26th May 1847, that "the revision of each individual case imposes upon Government a degree of detail which cannot be satisfactorily disposed of with due regard to the general business which ordinarily comes before it."

* See paragraph 2 of Government letter to the Revenue Commissioner No. 761, dated 4th February 1848.

† Namely the Rules of 1842, which have also been approved of by the Supreme Government of India and by the Honorable the Court of Directors. These Rules, with all the explanatory and supplemental instructions relating to them, have been incorporated in one code, submitted to Government by the Inam Commissioner with a letter No. 554, dated 9th May 1848.

‡ In the Deccan and Khandeish by Regulation XXIX. of 1827, Section VI.; in the Southern Muratha Country by Regulation VII. of 1830, Section II.

5. For this reason, and another equally powerful one mentioned in the same letter, Government considered that "it would be a much more satisfactory course for the decisions of the Inam Commissioner to come before Government only in the form of an appeal"; and it, therefore, prescribed a system of procedure under which a decision in each case was passed by the Inam Commissioner, subject in all cases to appeal to the Revenue Commissioner, and eventually, in a certain class of cases, to the Governor in Council.

6. But not long afterwards, as intimated in Mr. Secretary Lumsden's letter No. 4835, dated 20th November 1847, it was ruled that according to the law as it now stands "Government alone can legally resume or confirm rent-free tenures, or declare on what terms they are to be continued to the claimants"; and, consequently, Government was obliged to revert to the course of procedure which it had already found to be inconvenient and unsatisfactory,—viz. one involving a separate review and a distinct order on a report of each case, which, though not really an *ex parte* decision, has seemed obnoxious to some of the objections to which such decisions are liable.

7. Of course this system of procedure must be just as inconvenient, and just as fraught with danger of injustice now, as it was when condemned by Government in the Chief Secretary's letter No. 1900 of 1847; and, surely it is an improvement to be much wished for, though it may not be inevitably necessary, that the law should be so modified as to allow of a system of procedure which is acknowledged to be preferable to that of which alone it now admits.

8. To the reasons declared by Government for desiring that original decisions should be passed by the Inam Commissioner in each case, I can add a very conclusive illustration of the advantage of relieving Government from the details of this duty, by contrasting the result of the two systems in their working. Under the old system, to which Government has now felt itself obliged to revert, there were between the establishment of the Inam Commission and the end of A. D. 1847, a period of about four years, 872 claims reported to Government, of which 862* were decided, while during the six months (between June and November 1847) during which the system of decrees being passed by the Inam Commissioner was in force, the claims disposed of amounted to 638,† showing that the proportion of work effected under the latter system was nearly six hundred per cent. greater than that

* In these 862 cases disposed of by Government, it was proved that lands, &c., affording an annual revenue of about Rs. 22,125, were improperly held as Inam. Of this amount, land worth Rs. 7,100 per annum has been continued as life-holdings, and the rest, worth Rs. 15,025, resumed.

† In these 638 cases *decided* by the Inam Commissioner, and ten others *reported* by him in [illegible]t was proved that lands, &c. affording an annual revenue of Rs. 18,623. were improperly held as Inam. Of this amount, the Commission decided on continuing land, &c. valued at Rs. 3,054 per annum as life-holdings, and resuming a position worth Rs. 9,309; the remainder, worth Rs. 6,260, being left for the special consideration of Government.

under the former; the chief reason of the great proportionate increase of work done while decrees were passed by the Inam Commissioner being that in every case appealable only to the Revenue Commissioner that officer was content with statements, exhibits, proceedings, &c. in the Native language, and no time was lost in translation; and certainly any possible means ought to be at once taken to facilitate the despatch of the investigation, as there are still more than 58,000 separate holdings to be inquired into, and though it is possible that 30,545 of these (in consequence of being service holdings) may be easily and speedily disposed of, the remainder, amounting to about 28,000, being claimed as personal estates in perfect free-hold, must be carefully examined, and the merits of the title by which each is held separately investigated.

9. Another reason for obtaining the enactment suggested by me is, that, owing to obscurities in the existing Regulations, there are some doubts as to the authority of the Governor in Council himself to order the absolute resumption of estates held as Inam, however groundless may be the title by which they are held; and though these doubts may not appear, of themselves, a sufficient reason for the necessity of a new law, it would be well to have them removed by a clearer and more definite enactment than any now existing. I have, moreover, strong grounds for believing that the Court of Sudder Adawlut in this Presidency believe that some modification of the existing law is necessary to justify Government in any interference with the enjoyment of an alleged Inamdar, however unauthorised and fraudulent that enjoyment may be.

10. Lastly, it would appear, from the reply* of the Remembrancer of Legal Affairs at Bombay to a reference recently made to him by Government, that he is of opinion that as the office of the Inam Commissioner is not one recognised by the present Regulations, it is better that Government should "keep him out of sight"; and he points out that for the same reason such an officer has no sort of authority to enforce the attendance of witnesses or the production of evidence, however indispensable it may be to a just conclusion on any claim; and I cannot help thinking that it would be far better for Government to close the Inam Commission at once than to admit of the continuance of such a defect as *this* in its constitution.

11. But the whole of the above objections seem capable of being obviated by such a simple remedy that I am inclined to hope, as I earnestly entreat, that Government will lose no more time in adopting it. The appointment of the Inam Commission was at first a mere experiment; but it has, I think, passed its ordeal satisfactorily, and its usefulness is now generally acknowledged. The justice and liberality of the Rules by which its investigations have been guided have been admitted and approved by the highest authori-

* Letter No. 32, dated 15th April 1848, from the Remembrancer of Legal Affairs to the Deputy Secretary to Government.

ties.* I do not therefore think that there can be any just objection raised to confer on the Inam Commission during its future existence the authority of an ordinary civil court.

12. The Act requisite for the purpose of carrying out the above objects might be a very simple one, and I have the honour to annex a sketch of the provisions which I think it should contain, though, of course, the advice of the Remembrancer of Legal Affairs would be necessary to give it a technical shape, and to supply any requisite provisions which I may have overlooked, for making it effective.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Dharwar, 27th June 1848.

Extract Paragraphs 5 *to* 16 *of a Letter from the Honorable Court, No.* 12, *dated the* 20*th June* 1849.

Letter dated 9th November, No. 137 of 1848.
Ditto ditto 27th December, No. 173 of 1848.

We agree with you in thinking that the results exhibited in this report are highly creditable to the exertions of Mr. Hart.

Forwarding the Annual Report of the Inam Commissioner to the close of 1847; also advising the appointment of Captain Gordon as Assistant to the Inam Commissioner.

6. We observe that up to the close of the year 1847, the amount of revenue wrongfully alienated, which has been recovered by the labours of the Commission, will ultimately reach Rs. 40,740 per annum (more than one-half of which arises from lands which have been ordered to be brought under immediate assessment, the remainder having been allowed to continue rent-free during the lives of the present incumbents), while the total cost of establishment to the same date is Rs. 66,395. In the future annual reports of the Inam Commission we desire that a tabular statement should be added, showing the number and value of the Inams which have been disposed of, distinguishing those which have been confirmed in perpetuity, those which have been at once brought under assessment, and those which are to be assessed at the death of the present or a subsequent holder.

* See paragraphs 14 to 18 of a letter No. 25, from the Honorable the Court of Directors to the Bombay Government, dated 18th February 1846, in which they recognise the decisions of Government on the Inam Committee's reports on old Hooblee as "based on just and liberal principles," and repeat their "approbation of the spirit in which the Commission had commenced their inquiries"; hoping that the further inquiries of the Commission, and the decisions passed thereon, might be "characterised by the same spirit of liberal consideration towards the occupants as marks those which have been reported," &c. See also paragraph 22 of a letter No. 5, of the same date (18th February 1846), from the Honorable Court of Directors to the Government of Bombay, and paragraph 34 of their letter No. 2, dated 3rd February 1847, approving of distinct cases. It is needless to cite the testimony of the Bombay Government to the utility of the Inam Commission.

7. Mr. Hart, referring to the discoveries made by Mr. Goldsmid when Superintendent of the Revenue Survey and Assessment, states that "besides the whole Mahals entirely assigned as Jagheer and Surinjam, he found about seven hundred entire villages alienated out of the Khalsat Mahals of both Collectorates (Dharwar and Belgaum), and in the balance of 2,452 villages left for Government, and Khalsat by denomination, he estimated the number of minor alienations at about sixty thousand estates, the share left for Government even in these its Khalsat villages not averaging one-half thereof."

8. The total number of claims investigated and dispossed of by the Commission up to the close of 1847 appears to be 1,510,—viz. to whole villages 33, and to estates in Government villages 1,477; and it is obvious that at this rate of proceeding, the inquiry into the whole number of alienated estates, even in the two Collectorates of Dharwar and Belgaum alone, must be indefinitely protracted.

9. We observe, from your letter of the 27th December last, No. 173, that you have appointed Captain Gordon to be Assistant to the Inam Commissioner, and that Mr. Hart reports very favourably of that officer's qualifications. This arrangement will doubtless enable the Commission to proceed more expeditiously, but we are still of opinion that some further measures must be adopted for the purpose of bringing their labours to a more speedy close.

10. One of the principal causes of the delay appears to consist in the necessity of reporting each case in detail for the orders of Government. During a portion of the year 1847, the Commissioner was authorised to pass decisions on the cases as they were inquired into, subject to appeal to the Revenue Commissioner, and his progress was thereby greatly facilitated; but doubts having been raised as to the legality of this mode of proceeding, he was directed to revert to the former practice.

11. It appears to us to be altogether unnecessary that the details of every case investigated by the Commission, in which the right of the Inamdar to hold his lands rent-free in perpetuity has been satisfactorily established, should be reported specially for the orders of Government. In this class of cases the Commissioner might, we think, be permitted to pass a decision subject to confirmation by the Revenue Commissioner. The Inam Commissioner should, however, be required to report for the orders of Government all those cases in which it should appear to him that the strict application of the Rules would operate harshly towards individuals, and that there existed circumstances which would warrant their relaxation.

12. In those cases, however, in which the Commissioner's decision should be adverse to the claim of the Inamdar, we are of opinion that the latter should have the right of appealing to some superior tribunal. The appellate authority might either be the Zilla court of the district, (in which case it would be absolutely necessary that the proceedings of the Commission should be regulated by a law to be enacted for that purpose,) or, which we think the preferable course, the appeal might lie to the Revenue Commissioner, and

ultimately to the Government itself. But in every case, although the title of the claimant to hold his lands rent-free may be decided to be invalid, we desire that he be not ousted from possession, but that he be permitted to continue in occupation, subject only to the payment of the usual assessment.

13. In order to simplify to some extent this investigation, and to reduce it for the present to a practicable limit, we are desirous that the Commissioner should be directed first to turn his attention to the investigation only of claims to hold whole villages in Inam, leaving those in Khalsat villages (many of which are of small extent) for subsequent inquiry.

14. With regard to this latter class of Inams, while we would maintain the general principle that the whole of the land under cultivation is by law subject to the payment of revenue to the State, and therefore that the claimant to hold land free from assessment is bound to substantiate his title to that privilege to the satisfaction of Government, it may happen that in many instances the extent of land held rent-free is so small, and would yield so little revenue if brought under assessment, that it would not be desirable for the Government to enter on an investigation of the right of the occupant so to hold them. We wish you, therefore, to take this into your consideration, and report to us whether it would not be expedient to fix a limit (and what limit) below which no inquiries should be instituted, noticing in your report the amount of revenue that would be sacrificed by the operation of such a rule.

15. It appears that the provisions of Regulation XVII. of 1827, Chapter X., which authorise the Collectors to pass decisions on claims to exemption from the payment of land revenue subject to appeal to the Zilla Court, do not extend to the Deccan and the Southern Muratha Country so that the proceedings of the Commissioner are regulated by no law, but are subject only to the orders and directions of the Government. We think this should not be permitted to continue, and that the officers who may be employed in these investigations in the Southern Muratha Country and elsewhere should be formally vested with judicial powers, and subjected to legal responsibility. We accordingly desire that you will take these observations into your early and attentive consideration, and that you will prepare the draft of an Act for submission to the Government of India, for the purpose of carrying our views into effect. The Rules reported to us in your letter of the 24th June, No. 23 of 1840, as approved by that Government with the modification directed in our despatch of the 29th September, No. 18 of 1841, paragraph 42, should be embodied in the Act.

16. We would remark, in conclusion, that in the consideration of the question now before us, time must be regarded as an important element. That a considerable portion of the lands held as Inam in the Collectorates of Dharwar and Belgaum may, in the first instance, have been wrongfully alienated, and are now held on invalid titles, is highly probable; and every year that is permitted to elapse without judicially establishing the invalidity of the title, and restoring the revenue to the State, adds to the loss which may have been

already sustained. We should therefore not object to an increase of the agency by which these inquiries are conducted, if by that means you can bring them to a more speedy termination.

No. 157 of 1850.

Territorial Department, Revenue.

To F. J. Halliday, Esq.,

Secretary to the Government of India.

Sir,—I have been directed by the Right Honorable the Governor in Council to transmit to you the accompanying extract paragraphs 5 to 16 of a despatch from the Honorable the Court of Directors, dated 20th June last, No. 12 (see Appendix A).

2. In these paragraphs the Honorable Court has recognised the utility of the Inam inquiry instituted by this Government in the Collectorates of Dharwar and Belgaum, and forwarded several orders and suggestions as to its future conduct.

3. The Government of India will learn from the somewhat lengthy proceedings, of which the annexed paper is a summary (Appendix B), that the very important subject of facilitating such investigations has occupied the attention of this Government for a considerable period, and that the inquiries made by this Government have led to the conviction that no time should be lost in extending the scrutiny regarding the titles by which alienated lands are held and claimed to the whole of the Bombay Presidency.

4. The inability of the regular revenue officers of this Presidency to spare time from their more urgent current duties has, the Right Honorable the Governor in Council regrets to have to admit, occasioned the knowledge of the titles of holders of alienated lands throughout the larger portion of the Presidency to have remained in almost the same imperfect state in which it was on our acquisition of the country; and it is too true that lands assessable at upwards of Rs. 82,00,000 (being about a third of the gross land revenue of the Presidency) are held as wholly or partially alienated, without a sufficient knowledge on the part of Government as to its rights with respect to them.

5. This fact, and the satisfactory working of the Inam Commission in the two southern Collectorates, have satisfied this Government that the extension of similar Commissions to the rest of the Presidency will be the most advantageous arrangement, with respect to this question, which can be adopted for the determination of the respective rights of the State and of the holders of alienated lands.

6. The Right Honorable the Governor in Council believes that the best means of securing the efficiency of the extended investigation will be to place it under one Chief Commissioner, with Deputies and Assistants who can

devote all their time and attention to the duty. The Right Honorable the Governor in Council therefore solicits the sanction of the Government of India to whatever expenditure may be found absolutely and indispensably necessary for an establishment, European and Native, such as he may find can be most advantageously and economically used in furtherance of the important object he has in view. If the Honorable the President in Council deem fit, every fresh item of expenditure will be reported immediately on its being sanctioned by this Government, so that it may be discontinued, should it be considered by the Government of India unnecessary; but until this Government commences the proposed extension of operations, it cannot possibly form an estimate of the extent of establishment which will be required, the time which will be occupied by the members of that establishment in completing their labours, or the expense attendant thereon.

7. As directed in paragraph 15 of the Honorable Court's despatch of 20th June 1849, No. 12, the Right Honorable the Governor in Council requests that the Government of India will be pleased to pass into law the accompanying draft enactment (Appendix C) for establishing and defining the authority and responsibility of the officers appointed to conduct the Inam inquiry in the provinces to which the provisions of Regulation XVII. of 1827 do not apply. Should it be found that any modification of the law in Guzerat and the Konkun is advisable, it can be hereafter effected: as the prescriptive period of thirty years, provided by Regulation VI. of 1833, has already passed with respect to all those cases to which it is applicable, nothing will be lost on that account by deferring, for the present, to change the system of procedure; and Government would at first, therefore, prefer restricting the labours of the Commission to the Southern Muratha Country, the Deccan, and Khandeish, causing the officers to make, with all possible expedition consistent with due deliberation and consequent just decisions, a final settlement of all claims in these districts.

8. With respect to the system of procedure to be followed in districts not under the operation of Section XLIX. Chap. X. Regulation XVII. of 1827, the Honorable Court has proposed the alternative of appeals lying either to the Revenue Commissioner or the Civil Judge of the district. The Right Honorable the Governor in Council is, however, of opinion that neither of those officers could possibly spare time for the great additional work which the extended inquiry would throw upon them if this course were followed, and that, at any rate, it is evident that the Inam inquiry would proceed more satisfactorily if the Commission to which it is entrusted be so constituted that it contain in itself a provision for the adjudication of appeals; and this the Right Honorable the Governor in Council proposes effecting by employing one Commissioner, with Deputies,—the latter to pass decisions subject to appeal to the former, who should also have the duty of supervising, under the immediate directions of Government, the whole of the proceedings.

9. It is in the recollection of some of the members of Government that the

Honorable Court themselves have, with reference to proceedings in the North-Western Provinces, expressed an opinion as to the unsuitableness of Courts of Adawluts for adjudicating in such cases; but as the documents, printed or manuscript, in which this is recorded, cannot at present be traced in this office, the Right Honorable the Governor in Council can only refer to them in general terms.

10. I have also been directed to request the attention of the Government of India to the Right Honorable the President's Minute of 31st December 1849, and Mr. Hart's letter of 27th June 1848, No. 591, the former of which is appended as letter D, and the latter as letter E, to this communication.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Secretary to Government.

Bombay Castle, 7th January 1850.

No. 7078 OF 1850.

REVENUE DEPARTMENT.

From A. MALET, Esq.,
Chief Secretary to the Government of Bombay,
To F. J. HALLIDAY, Esq.,
Secretary to the Government of India.

Dated 27th September 1850.

SIR,—I have been directed by the Right Honorable the Governor in Council to request that you will have the goodness to move His Honour the President in Council to favour this Government with a reply to Mr. Secretary Goldsmid's letter of 7th January last, No. 157, proposing the extension of the Inam Commission throughout this Presidency; and with reference to paragraph 7 of that letter, and paragraph 15 of the Honorable Court's Despatch No. 127, of 20th June 1849, accompanying it, to beg that you will urge the Government of India to pass into law the draft enactment submitted by this Government on that occasion.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary to Government.

Bombay Castle, 27th September 1850.

No. 606.

HOME DEPARTMENT, LEGISLATIVE.

From F. J. HALLIDAY, Esq.,
Secretary to the Government of India,

To A. MALET, Esq.,
Chief Secretary to the Government of Bombay.

Dated 11th October 1850.

SIR,—I am directed by the Honorable the President in Council to acknowledge the receipt of your letter No. 7078, of 27th ultimo, requesting attention to your former letter of the 7th January last, proposing the extension of the Inam Commission throughout the Bombay Presidency, and the passing of a draft Act for that purpose transmitted with your letter above alluded to.

2. The letter of the 7th January has been, I am directed to say, inadvertently lost sight of in this office, and a delay has thus occurred in replying to your communication which His Honour in Council much regrets.

3. The President in Council entirely agrees with the Right Honorable the Governor of Bombay in Council as to the expediency of completing with as little delay as possible the investigation into the Inam and other rent-free tenures within the Bombay Presidency, and he will be ready to sanction, as proposed by the Bombay Government, all such necessary expense as it may be found right to incur on that account, the several items being reported as soon as authorised by the Government of Bombay, for the approval of the Supreme Government.

4. With respect to the draft Act, the President in Council has felt a difficulty arising out of the omission, in the draft forwarded with your letter of the 7th January last, of all definition of a valid title to hold land wholly or partially free from assessment, and on account of the absence of any rules of procedure. The draft Act merely provides that officers may be appointed to investigate and decide claims to hold land free of assessment, and that these officers shall proceed according to such forms and rules as may be laid down for their guidance by Government.

5. It appears, however, from your letter, that under this very general authority to the Government to prescribe forms and rules, it is intended to erect two sets of courts, one to try rent-free claims in the first instance, and the other to hear appeals from the first. The President in Council is of opinion that this system of original and appellate jurisdiction should be distinctly authorised and provided for in the Act, and the necessary forms of procedure either laid down in detail, or else provided for by reference to the forms in use in actually existing courts, according to which the new courts may be directed to shape their proceedings.

6. Regulation XVII. of 1827 provides definitions of valid rent-free tenures,

which are probably sufficient for the purpose in view, but the President in Council is not certain that they are considered applicable to the territories of the Deccan, Khandeish, and the Southern Muratha Country. At all events, if these definitions can be used for the purposes of the new law, it will be proper that they should be referred to in it. The same law (Regulation XVII. of 1827) contains rules of procedure for Collectors when investigating in the first instance questions of the validity of rent-free holdings. Perhaps these Rules may be made applicable to similar investigations of first instance when made under the proposed law; but on this point the President in Council would be guided by the opinion of the Right Honorable the Governor of Bombay in Council.

I have the honour to be, &c.

(Signed) F. J. HALLIDAY,
Secretary to the Government of India.

Fort William, the 11th October 1850.

No. 8729 OF 1850.

TERRITORIAL DEPARTMENT, REVENUE.

To W. HART, Esq.,
Inam Commissioner Southern Muratha Country.

SIR,—I have been directed to inform you that the Right Honorable the Governor in Council has been pleased to appoint you Chief Commissioner for the investigation of claims to Inams throughout this Presidency, on a salary of Rs. 2,000 per mensem to commence from date of this letter.

2. I have also been directed to transmit herewith copy of a letter addressed to the Government of India on the 7th January last, and of its appended summary, together with a transcript of the reply of that authority, No. 606, dated the 11th ultimo, and to inform you that the first duty you have to perform is to prepare the Rules required by the Government of India, and to submit a plan of procedure and sketch of the number of Assistants and extent of establishment you will immediately require. Government depend on your attending to the very imperative necessity which there is for framing this estimate in the most economical manner that is consistent with the proper performance of the very important duties that are to be entrusted to you.

3. In paragraphs 4, 5, and 6 of their present letter, the Government of India refer to the request of this Government that the draft Act submitted to them might be passed into law. With a view to prevent litigation, and consequent excitement, His Lordship in Council is of opinion that the law should be passed before the Commissioners commence their settlements in other Collectorates than those now subjected to your inquiries, and until it is passed he will not gazette your appointment as "Chief Commissioner."

4. To the insertion in the Act of provisions for original and appellate jurisdiction there can be no objection of which His Lordship in Council is

aware; you are therefore requested to make the necessary additions, not only as regards this point, but also as regards the forms of procedure, the necessary additions for the latter purpose being made to Clause 3rd. The simple and easy manner in which claimants in the Southern Muratha Country are called upon to give their "Kyfeyuts" and adduce their proofs, and the very satisfactory and searching manner in which the correctness of the pleas and evidence advanced are tested by reference to the records in your possession, appear to the Governor in Council to show the best mode of procedure which can be adopted; additions, however, will of course be necessary to provide Rules for confirmation and appeal.

5. With regard to the insertion of Rules in the Act, the Right Honorable the Governor in Council agrees with you in thinking that it would be inexpedient to embody in the Act the details of the Rules of 1842, for it would greatly complicate the law to do so, and in case any relaxation or modifications of the Rules were rendered necessary from any circumstance, say in newly acquired territory (such as lapsed Jagheer, &c.), there would, perhaps, be the dilemma of having either to sanction measures of hardship to claimants of land or to depart from the law. The Rules submitted with your letter of the 9th May 1848, No. 544, appear to His Lordship in Council to be well fitted for adoption in the Southern Muratha Country, but they should be carefully looked over by you, and forwarded to Government with any alterations you may deem necessary, in order that they may be considered by Government, and submitted to the Government of India for approval. It still, however, appears to His Lordship in Council, that although they should be referred to, they should not be embodied in the Act; but on this point also your opinion is requested.

6. Adverting to the 6th paragraph of the letter from the Government of India herewith forwarded, I have been directed to annex copies and extracts of the documents noted in the margin, and to request that you will prepare, for transmission to that authority, a *resumé* of all that has passed on the subject, and also prepare a declaratory clause of the nature contemplated.

Minute by the Right Honorable the Governor, subscribed to by the Honorable Board, dated 7th January 1850.

Extract paragraphs 2 to 4 of a memorandum by the Honorable Mr. Blane, dated 19th November 1850.

Extract paragraphs 5 and 6 of memorandum by the Right Honorable the Governor, dated 23rd November 1850, concurred in by the Honorable Mr. Willoughby.

7. There is one more point of very great importance to the inquiry, to which his Lordship in Council has directed me to refer. The absolute necessity which exists for placing the Inam Commissioner, whose operations are at once to extend to all the restricted Regulation districts, and eventually to the whole of our territories, in charge of the Poona Duftur, is shown by the circumstances connected with Mr. Goldsmid being placed in charge of these records by Mr. Warden in 1842, and by the use made of those records by himself and coadjutors, and successor, in conducting their inquiries in the Southern Muratha Country; but before giving any orders on the subject,

Government wish for your opinion as to whether you think it desirable to depute Captain Gordon, or apply to Government for some other qualified officer to receive charge of them, or retain for a time Mr. Turquand's services as your Assistant.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Secretary to Government.

Bombay Castle, 28th November 1850.

No. 3021.

To H. E. GOLDSMID, Esq.,
Secretary to Government, Bombay.

SIR,—In conformity with the instructions contained in the 3rd and following paragraphs of your letter No. 8729, dated 28th November 1850, I have the honour to submit an amended draft of the Act required for the organisation of the Inam Commission according to the plan approved of by the Governments of India and Bombay, and beg to offer at the same time the following explanations regarding it.

2. In examining the amended draft, it will, I think, be found that the first point requiring discussion is the assertion recited in the preamble that the adjudication of claims against Government for Inams, &c. are not only excepted, in the territories to which the Act relates, from the cognisance of the civil courts (which they are by Regulation XXIX. of 1827, Section VI. and Regulation VII. of 1830, Section II. &c.), but that they are, moreover, incapable of being justly disposed of under the Rules contained in Chapters IX. and X. of Regulation XVII. of 1827.

3. In treating of this subject, I shall first endeavour to carry out the instructions contained in the 6th paragraph of your letter under reply; and I think that the most satisfactory mode of doing this will be to divide the question of the applicability or otherwise of the Rules of Chapters IX. and X. of Regulation XVII. to the Deccan, &c. into two other questions,—*first*, whether or not those Rules *do* apply to the districts in question; *secondly*, whether or not they *ought* to do so.

4. The final settlement of these questions is rendered the more desirable from a suggestion made by the Government of India in paragraph 6 of Mr. Secretary Halliday's letter No. 606, dated 11th October 1850, that it might, perhaps, be right to adopt, in the proposed inquiry, the Rules of Regulation XVII. of 1827, both for defining titles and for pointing out the mode of procedure in inquiring into them.

5. It is evident that of the two questions stated in my 3rd paragraph the

second is of by far the greater importance; for if it can, as seems beyond all doubt the case, be answered decidedly in the negative, the answer to the first question is of importance only for the purpose of deciding whether the proposed enactment should repeal the Rules in question, or simply declare them already inapplicable,—a matter of not much final moment.

6. It will for this reason be well to consider first the more important question as to whether or not the Rules contained in Chapters IX. and X. of Regulation XVII. of 1827 *ought* to be enforced in the Deccan, &c. during the proposed general scrutiny of titles to Inams. I beg, therefore, to submit my reasons for considering that they ought not to be now enforced in these districts.

7. Chapter IX. of Regulation XVII. defines titles to exemption, and some of its clauses are open to the following amongst other objections. It will be seen that some of the objections which I make to this Chapter and the next (Chapter X.) apply to them as law in *any* territories; but that does not render the objections less material in the Deccan, Khandeish, and Southern Muratha Country:—

1*st*.—Section XXXV. Clause 1st seems at first sight unobjectionable, and, so far as its text goes, agrees with the first of the Rules of 1842 now used in the decision of claims in the Deccan, &c. by Government, as prescribed by the Government of India with the sanction of the Honorable the Court of Directors. But a comparison of this 1st Clause of Section XXXV. with Section XXXIX. Clause 1st, and its Appendix C, shows that, at least, some of the persons recognised by it as "public officers possessing authority to grant, &c." were persons who *most certainly had not* any such authority (as "Sirsoobadars,"* and other "local functionaries acting directly under the Peshwa, before 1803"); while, on the contrary, other persons, who *as certainly had* such authority, (as the Savanoor Nuwab,†) must not, according to Regulation XVII., be recognised as authorised grantors, without special proof of what every one in the country is aware of. These facts, besides causing an intrinsic objection to the Rule, also show that it was *not intended* to be applied to the Southern Muratha Country, &c.

2*nd*.—Clause 2nd of the same Section (XXXV.) recognises a prescriptive title to exemption acquirable by "any person, his heirs, or others deriving right from him," who have held for sixty years under any "recognised tenure"; but there is nothing to define the duration of the exemption for the future, nor to what heirs it is continuable (and this is a defect throughout the whole of the Rules in the Chapter admitting exemption); and it is remarkable that of the thirteen tenures enumerated in Appendix A to this Section as "tenures that may be considered as recognised by the custom of the country," only four are known, or even defined in a language known in

* I do not consider it necessary to here repeat the proof of this assertion, the correctness of which has been on a former occasion admitted by Government.

† See Government letter on the Murdoor Case, No. 4196, dated 23rd December 1843.

the Deccan and Southern Muratha Country, and two of these four (Wutun* and Meeras) are not used to define tenures exempting land from assessment. This fact also shows that the Rule in question was *not intended* for adoption in these districts.

3rd.—Clause 3rd of the same Section (XXXV.) holds that enjoyment of exemption for twelve years before the territory where the exempt land is situated came into the possession of the British Government shall be equivalent to the enjoyment for sixty years treated of in Clause 2nd. But such a clause would be wholly unjust to Government in a territory like the Deccan, Khandeish, or Southern Muratha Country, where for more than the twelve years in question all sorts of fraudulent acquisitions of land took place, and where, as remarked by Sir T. Munro,† "every one, from the Kurnum of a village to the Sursoobha of the Carnatic," fraudulently alienated Government land. What would render the application of such a rule in these territories the more unjust is that from the succeeding clauses it appears that the proof of realization of revenue (which realization is the only bar to exemption) is to be thrown upon Government; for it would be utterly impossible to prove such realization, owing not only to the frequently disturbed state of the country, but to the fact that it was generally managed by farmers under the Peshwa, who did not render detailed accounts of their realizations. The same objection applies to the remaining clauses of this Section (XXXV.), and to both clauses of Section XXXVI., the enforcement of which in the new provinces would be, so far as regards this point, very unjust.

4th.—Clause 1st (the only one) of Section XXXVII. is open to the same objections as Clause 1st of Section XXXV., remarked on above.

5th.—Clauses 2nd and 3rd of Section XXXVIII. seem generally objectionable‡ (and uselessly so), in providing for what is nothing but the *enforcement* of idolatrous expenses under another name; for of course, rather than have the land assessed, the holder of a Dewusthan Inam will perform all the rites for which he holds it. I would not advocate any interference to *force* the Natives away from idolatry, but surely a rule which *forces* them under a penalty to its continuance is an erroneous one, and any one who has seen the carvings on many temples and idols' chariots in this part of the country, and especially in its southern districts, in which every possible and impossible variety of natural and unnatural lust and obscenity is pourtrayed, would feel ashamed of having in any way been accessory to

* Land included in a Wutun may or *may not* be exempt. In some cases, as the Chalee and some Jooree lands of Wutundars in Sholapore and the Southern Muratha Country, Wutun lands are the most highly assessed. The same is almost always the case with what is known in the Deccan as Meeras.

† See his letter to Mr. Elphinstone, dated 28th August 1818.

‡ The 1st Clause of Section XXXVIII. is a desirable one, and I propose to introduce it into the standard code. See Section IV. of the draft Act.

the introduction of a rule which tends to *enforce* the continuance of the superstition to which such worse than beastly representations belong.

6*th*.—My objections to Section XXXIX. (the last Section of the Chapter) have been above stated, when considering Section XXXV. Clause 1st.

7*th*.—In conclusion, I have to object to the introduction of the Rules of Chapter IX. of Regulation XVII. of 1827, that even if they were not *in themselves* unjust, they are not so fair or so well adapted for the definition of titles as the Rules by which Government now adjudicates claims to Inams in the Southern Muratha Country.

8. I shall now proceed to explain why I think that the Rules of Chapter X. of Regulation XVII. ought not to be applied in the approaching scrutiny in the new provinces :—

1*st*.—The Collector alone is authorised to institute the inquiry.

2*nd*.—An inquiry is provided for only when the Collector has some tangible reason for believing land improperly held, and there are no provisions for a *general* scrutiny of titles, such as that now instituted.

3*rd*.—The proceedings prescribed may be very tedious and vexatious to all parties, without obtaining greater benefits than more simple procedure would ensure.

4*th*.—Some of the procedure *may be* absurd: for instance, by Section XLV. it is held that "if the decision of the Collector be in favour of the right of the holder to enjoy the land as previously, such decision shall, after being communicated to the party, be reported by the Collector to Government, and, *if sanctioned by Government*, shall be final." But what if Government refuses its sanction? Government cannot expect the Collector, in such a case, to pass a new decision of his own to stultify the one he has already made; and yet it will be seen from the context of the whole Regulation, that to admit of assessment legally there must be a decision made by the Collector himself (and not merely by Government) against the right of the holder.

9. Having thus stated my reasons for thinking that the Rules of Chapters IX. and X. of Regulation XVII. *ought not* to be applied in the new provinces, I shall try to explain why I consider that they *do not*; but before doing so, I would mention, in anticipation of my exposition of this result, that though my own opinion is what I have just stated, I have considered it right, in preparing the preamble and 1st Section of the amended draft Act now submitted, to endeavour to do so in such a manner as to prevent its terms from contradicting the opinions of either those who may agree, or those who may disagree with me in this matter, which is in fact one of not much importance, when once the second question stated in paragraph 3 has been settled.

10. My first reason for supposing that the Rules of Chapters IX. and X. *do not* apply to the new provinces is that the only mode of enforcing them was purposely withheld by Regulation XXIX. of 1827, Section VI., and Regula-

tion VII. of 1830, Section II. &c. It may, of course, be said that as the *law* was not suspended in terms—though the means of enforcing it were—it is still as much law as if it could be enforced; but I cannot think so lowly of the framers of Regulations XXIX. of 1827 and VII. of 1830 as to imagine that they intended by those Regulations to introduce a law with the intention of its remaining law, while they expressly enacted a reservation which must make it practically null. I would rather think that they intended, by taking steps for preventing the enforcement of the law in question (when generally introducing the Regulations into the new provinces), to make the whole of the law inapplicable in practice, as it is in equity.

11. My next reason for supposing that this was the intention of Government, in framing Regulations XXIX. of 1827 and VII. of 1830 as they did, is that I have in vain sought for a single instance of a claim to exempt lands having been adjudicated according to the Rules of Chapters IX. and X. of Regulation XVII. of 1827. This is *of itself* a strong fact, and I think it greatly corroborates the argument stated in the preceding paragraph; for it must be supposed that Government, who framed Regulations XXIX. of 1827 and VII. of 1830, if they had thereby intended to introduce the procedure, &c. of Regulation XVII. into the new provinces, would have adhered to it; whereas every decision I have been able to find,—and they are very many,—is made not only without reference to the Rules in question, but in a manner irreconcilable with their provisions; and this has been the case from the time of the introduction of the Regulations generally into this province until the present hour.

12. Again, there are many declarations by Government, both express and implied, which show that the Rules in question were never looked upon by their framers as law in the new territories. It would be, of course, superfluous in me to quote such declarations; but I think it may be useful to bring to the notice of Government a remarkable instance of one such declaration having been strangely perverted into meaning what it did not, by the passing of Regulation VI. of 1833 as it now stands. I am the more inclined to venture to do this as the Honorable Mr. Blane (in the 3rd paragraph of his Minute of the 19th November 1850) seems to think that the last-mentioned Regulation* may interfere in some way with the proposed Act.

13. The circumstances to which I allude are briefly these:—In July 1832 Government commenced a correspondence with the Revenue Commissioner and Collectors, which resulted in the Revenue Commissioner being ordered

* I would with much deference suggest, that as Regulation VI. of 1833 is only a supplement to Regulation XVII., and avowedly intended to modify some of its rules, the repeal of those Rules might perhaps be looked upon as *ipso facto* making the Regulation, which is only a modification of them, void. Still, to avoid any doubt, I have considered it better in the draft Act to refer expressly to Regulation VI. of 1833, as well as to that of which it is a supplement.

to draw up a draft Regulation, summing up the points of the intended law (now Regulation VI. of 1833), with certain restrictions which it was considered necessary to insist on. These restrictions were to prevent (in any territories) the application of prescriptive title to lands alienated under the present Government, or held for a certain term, and also to forbid (in territories ceded by or conquered from the Peshwa) the recognition of any recent grants made without the authority of the ruler of the country himself, which were resumable under the Rules framed by the Commissioner in the Deccan.

14. The Revenue Commissioner's draft of the intended enactment was approved of by Government, and forwarded to the Judges of the Sudder Adawlut with the Secretary's letter No. 576, dated 19th February 1833, not for the purpose of being altered in *meaning*, but simply to be put in such a *shape* as might adapt it to the general Code.

15. The last Section of the Revenue Commissioner's draft was as follows:—

"Neither shall the above rule apply to grants made without the authority of the Peshwa since 1803, which are liable to resumption and assessment under certain Rules prescribed by Government, or to lands held on the service tenure, which are resumable at the pleasure of Government."

16. By the 1st Clause of this Section, Government intended to exclude the Rule of Regulation VI. of 1833 from taking effect in the new provinces, where the Commissioner's Rules (since modified by those of 1842) were in force; the one of those Rules which was especially in their recollection, as necessary to retain in force, being the following:—

"All grants made without the Peshwa's authority since 1803 liable to resumption; but if held for the last ten years (from A. D. 1809), to be assessed at only half the full rent, and at the full rent on the death of the present incumbent."

The latter Clause of the Section was evidently intended to reserve, unprejudiced by any prescription, the right vested in Government of at any time resuming Jagheers, "under the general rules at the pleasure of Government," as provided for by Clause 1st Section XXXVIII. of Regulation XVII. of 1827.

17. A comparison of the meaning and words of the Commissioner's Rule quoted in the last paragraph, and those of the Clause of the draft Regulation, approved of by Government, and quoted in paragraph 15, in which the very terms of that Rule are recited, will at once show that the Commissioner's Rules (now represented by the amended Rules of 1842) were observed in the new provinces; and if so, then the Rules of Regulation XVII. of 1827 could not have been in force, as they are irreconcilable with the Commissioner's.

18. But the Judges of the Sudder Adawlut not *only* altered the *shape*, but the whole *intention* of the proposed law. They confused the "certain Rules prescribed by Government," which really meant the Commissioner's Rules applying to grants made since 1803, with "the general Rules" alluded to in the 1st Clause of Section XXXVIII. of Regulation XVII., which applied only

to Jagheers; and so, taking it for granted that to recite both, as the Revenue Commissioner had *correctly* done, would be a mere repetition, they *shaped* the Clause so as to supersede the Commissioner's Rules, which it was intended by the legislature to preserve in force.

19. That such a mistake should have taken place seems so nearly incredible, that I may be excused for quoting the letter of the Assistant Register proving that it did occur. In this letter, No. 28, dated 18th March 1833, he says :—

"I am directed by the Judges of the Sudder Dewanee Adawlut to remark that the expression 'certain Rules,' which occurs in Clause 2nd, Section II. of the Revenue Commissioner's draft, and *taken probably from Clause 1st, Section XXXVIII. of Regulation XVII. of* 1827, being liable to misconstruction, by application to the general or particular Rules of the Code, instead of Rules issued by the Government at its discretion, which was *perhaps* intended by the legislature, it has in the draft now submitted been left out, and the *corresponding one* of the last-quoted Regulation explained."

20. Unfortunately, Government did not observe the error into which the Judges had fallen; and the consequence was, that instead of a provision retaining the force of the Commissioner's Rules being, as intended, inserted in the Regulation, it was finally passed without such provision.

21. The first consequence of this was the alteration of the law itself from what was intended by Government, as shown by the following contrasted statement of the clause which the Judges of the Sudder Adawlut were directed by Government to frame in legal phrase, and the clause which has actually become law instead of it :—

Clause approved of by Government in communication with the Revenue Commissioner, and sent to be shaped by the Judges of the Sudder Adawlut.	*Clause as shaped by the Judges of the Sudder Adawlut, and actually passed into Law as Clause 3rd, Section I. of Regulation VI. of* 1833.
Neither shall the above Rule apply to grants made without the authority of the Peshwa since 1803, which are liable to resumption or assessment under certain Rules prescribed by Government; *or* to lands held on service tenure which are resumable at the pleasure of Government.	Neither shall the above Rule be deemed to apply to grants made without the authority of the Peshwa since A.D. 1803, regarding territory ceded by or conquered from that authority; *nor* to Jagheer or other lands held on service tenure, which are declared to be resumable at the pleasure of Government, under the forms laid down in Clause 1st, Section XXXVIII. Regulation XVII. A. D. 1827, it being understood that the expression used in the said Clause, viz. "under the general Rules," meant such Rules as Government may think proper to issue from time to time.

22. Thus, in the Regulation actually passed, the (Commissioner's) Rules, which it was the deliberate intention of the legislature to retain in force by an express provision, are altogether lost sight of.

23. But even as this Regulation VI. of 1833 now stands, it seems to afford proof that neither its rule of thirty years' prescription, nor the Rules of Chapter IX. &c. of Regulation XVII. of 1827, which it was framed to modify, were at any time capable of application to the new provinces. This may, I think, be shown by the following case:—On the 2nd of January 1834, the Poojaree of Hunneymaun is found in possession of land in the Deccan held by him as a Dewusthan Inam. On being called to prove his title to it, he produces a writing dated on the 1st January 1804, executed by a farmer of the village in which the land is situated, granting the land to him in perpetuity as Dewusthan, and further shows that he has since held it unquestioned as such. It is objected that the deed is an invalid title, being executed without authority. He then pleads that, even if so, he has held it for more than thirty years, and, therefore, by Regulation VI. of 1833 his prescriptive title is perfect. To this it is objected that the prescription of thirty years recognised by that Regulation is by its 3rd Clause inapplicable to his grant, which is "a grant made without the authority of the Peshwa since 1803," and that, therefore, though he has held it for thirty-one years, he has no prescription to plead under that Regulation. He can then reply—If I have held it for thirty-one years up till to-day, I have, in so doing, held it for twelve years before the close of A. D. 1817 (the introduction of the British Government), and, therefore, for sixty years according to Regulation XVII. of 1827, Section XXXV. Clause 3rd, which gives me full prescriptive title according to Clause 2nd. If it be admitted that the Regulation last quoted is legally applicable to the Deccan, &c. this plea is good; but then, what is the consequence with regard to Regulation VI. of 1833? The restriction provided by its 3rd Clause is defeated and laughed at in the very territory for which it was enacted!

24. In such a case, even as Regulation VI. of 1833 now stands, the only way in which its 3rd Clause can be understood as not absurd is in believing that the Sections of Regulation XVII. of 1827 to which it relates were not previously applicable to the territory recently obtained from the Peshwa, though, of course, this would have been more unquestionably evident if the instructions of Government had not been disobeyed in its preparation.

25. Thus everything connected with the Rules of Regulation XVII., Chapters IX. and X., and their modifications by Regulation VI. of 1833, leads me to the conclusion that those Rules are inapplicable, and were not intended by the legislature to apply to the new provinces. Still, as I have premised above in paragraph 9, I have endeavoured to prepare the draft Act now submitted, so as to contain not only a declaratory but a repealing sense, in order, to meet both opinions regarding the present actual state of the law.

26. I shall next proceed to offer any observations which strike me as

necessary regarding the terms of the draft Act as now amended according to the instructions contained in your letter under reply.

27. Section I. will set at rest all doubt regarding the question which has occasioned the confusion and difference of opinion above referred to, by definitively excluding the operation of the Rules of 1827 from the provinces to which they are so evidently inapplicable.

28. Section II. provides for the organisation of an Inam Commission (or more than one if necessary) in the new provinces, viz. the Deccan, Khandeish, and Southern Muratha Country, as well as in any other territories more recently annexed, as Mandvee, Colaba, Sattara, &c. or which may possibly be annexed hereafter.

29. Section III. contains Rules for procedure, being those found by experience in the Southern Muratha Country most convenient to the claimants as well as the officers of Government. More than twenty thousand claims have been received and recorded according to this procedure, and Government is aware how few complaints have been made by claimants (certainly not one for each thousand of inquiries instituted) regarding the mode in which their statements and evidence have been received and recorded. The procedure prescribed in the Rules of this Section is, in fact, that followed at present, and approved by Government in paragraph 4 of your letter under reply, with such alterations providing for decrees, appeals, &c. as will make it applicable to the extended Commission.

30. Section IV. is drawn up in conformity with instructions contained in your 5th paragraph. With regard to the close of that paragraph, in which my opinion is required, I beg to state that I consider the plan approved of by the Right Honorable the Governor in Council as the most satisfactory, and, in fact, the only one which can be reasonably adopted. The Code of Rules to which this Section is intended to apply shall be sent to you in a few days with another letter, and after they are approved of, by notification or otherwise, the blanks now left in Section IV. of the draft Act can be filled in.

31. Section V. is merely adapted from the Regulation of 1827, which gives Collectors, when employed in Inam inquiries, the jurisdiction of civil courts, so far as relates to the power of issuing summonses, taking evidence, &c. A provision of this nature is, of course, required in any department where evidence is taken.

32. Section VI. is adapted in the words of Regulation XII. of 1827, Section VIII., being merely so far altered as to be made applicable to the establishment of the Inam Commission, instead of to that of the Magistrate.

33. Section VII. is to protect persons discharging in good faith the duties provided for by the enactment from being subjected to litigation for doing so. It is so framed as not to relieve them from the liability of having to answer for

such abuses as those described in Section III., nor for unauthorised Acts cognisable by civil courts under Section XXII. of Regulation II. of 1827.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Belgaum, 30th December 1850.

No. 3022.

To H. E. GOLDSMID, Esq.,
Secretary to Government, Bombay.

SIR,—In the 5th paragraph of your letter to my address No. 8729, dated 28th November 1850, you convey to me the order of Government that I should carefully revise the compendium of Rules formerly submitted with my letter No. 544, dated 9th May 1848, with a view to their being submitted for approval to the Government of India, as the Code to be referred to in the Act required for the organisation of the Inam Commission, in the manner approved of by Government and the Honorable the Court of Directors.

2. In the revised draft Act submitted by me with my report No. 3021, of the 30th December 1850, Section IV. refers to this Code of Rules when it shall have been approved, and I have now the honour of forwarding a revised draft of it, made applicable to the Deccan, Khandeish, and the Southern Muratha Country, for the consideration of Government.

3. In order to prevent the necessity of a reference to my former letter, No. 544, dated 9th May 1848, I shall repeat such parts of it as are applicable to the revised Rules now submitted, so as to let it be *entirely superseded* by this letter.

4. The Code or compendium of Rules now submitted is simply an adaptation of the Rules proposed by the Bombay Government, in the Acting Chief Secretary's letter No. 3667, dated 19th December 1839, and amended in 1842, in which are restored a few terms which existed in the Rules as generally approved of by the Honorable the Court of Directors in their despatch No. 18 of 1840, paragraph 42, but which were omitted (though evidently without intention) in the Code circulated with the Government letter No. 1949 of 1842.

5. The Rules in question were in the first place proposed for the adjudication of claims to money and grain allowances, but were made applicable to the case of rent-free lands &c. in the Deccan, Khandeish, and Southern Muratha Country, at the proposition of the Bombay Government, contained in the Chief Secretary's letter No. 2906, dated 21st September 1839, which proposition was approved of by the Government of India in a letter No. 263, dated 4th November in the same year, and finally by the Honorable the Court of Directors, in their general sanction of the Rules.

6. In arranging the Rules of 1839 and 1842 into the Code now submitted, I have avoided, as far as possible, the proposition of any new principle, almost the only additions which I have suggested to the Rules themselves being interpretations, all of which have already been approved of by Government, with the exception of two or three now first proposed on grounds which I shall explain below.

7. But though I have not attempted to interfere with the principles of the Rules of 1839 and 1842, I have, for the sake of convenience, altered their arrangement, in reducing it to a more systematic division into heads or "articles." The first article disposes of every Inam, of whatever denomination, already specifically guaranteed as permanent by a competent authority under the present Government; the second, of all personal Inams not coming under the above head,—and these again are divided into Sunudee or authentic, and those which are merely prescriptive; the third article comprehends all Inams *primâ facie* permanent from the nature of the object for which they are claimed, keeping in view a similar sub-division; the fourth provides for the widows of the last incumbents of all lapsed holdings; the fifth reserves the present right of Government over Surinjams and other tenures of a political and ministerial nature; and the sixth vests Government with the power of modifying *in favour of claimants* any of the Rules of the Code,—a power which is now vested in the Government of India,—and of interpreting the meaning of any part of it respecting which a doubt may occur.

8. Should any of the Rules or propositions of the Code now submitted, or the terms in which they are expressed, be considered open to objection, I would respectfully beg that Government will not proceed to any final condemnation or rejection of them without first giving me an opportunity of explaining more fully my reason for proposing them. So far, however, as I can judge, the only points connected with this Code which seem to require any particular explanation are the following.

9. *Rule I. of Article I.*—This Rule is slightly altered from the 4th Rule of the 1st Division of the Rules of 1839 and 1842, in extending the validity of declarations by the *Bombay* Government, and competent officers acting under it, to those of the *British* Government and competent officers acting under it, in order that guarantees by certain Military Commanders who commenced the settlement of this country (as Sir Thomas Munro, Sir J. Malcolm, &c.), and those of the Commissioner in the Deccan, &c. before its annexation to Bombay, may be comprehended by the Rule. The word "British" is, in fact, used in paragraph 3 of the letter No. 116, of the 22nd July 1839, from the Government of India to that of Bombay, from which letter the Rule in question originated. The words "specific and absolute" are inserted to prevent for the future the possibility of provisional or conditional declarations of a general nature from being regarded as absolute ones, without examination as to whether or not the provisions were applicable, or the condi-

tions fulfilled in particular cases. This addition will obviate a mischievous error of frequent occurrence. The words "previous to the passing of the Charter of A. D. 1833," which existed in the original Rules of 1839 and 1842, have been omitted from that now submitted for approval as superfluous, after the change of the word "*Bombay*" to "*British*," as noticed above.

10. *Rule I. of Article II.*—This Rule is a slightly amplified version of Rule I. of the first division of the Rules of 1842.

11. *Provision* 1 *of Rule I. of Article II.*—This Provision will not necessarily dispossess any person who may be found holding an Inam under the Sunud of an incompetent authority; it will merely transfer the adjudication of his claim from the first to the second Rules of this Article; and he will still have the advantage of any prescriptive right to which the length of his possession may, under that Rule, entitle him.

12. *Provision* 2 *of Rule I. of Article II.*—This Provision is new one, the power of applying which in extreme cases is necessary on grounds of public policy. It is one, however, the application of which will of course be very unfrequent. The power of appeal provided by the proposed Inam Inquiry Act will prevent any unnecessarily harsh application of it.

13. *Provision* 3 *of Rule I. of Article II.*—This Provision is added to carry out the principle laid down in paragraph 5 of the Government letter No. 3329, dated 28th September 1844; and is, at any rate, required to make the Rule reasonable.

14. *Provision* 4 *of Rule I. of Article II.*—This Provision may at first sight appear unnecessary in addition to Provision 3. It is, however, proposed in order to embrace cases not comprehended by the latter, such as one in which it is clear that the revocation, alteration, or annulment of a grant (though such alteration, &c. may not have been *made* by the order of a competent authority, as contemplated in Provision 3) was *recognised* by such authority; as, for instance, when a former Inam is entered in an altered condition in authentic accounts either emanating from or passed at the Hoozoor. Thus an estate may have been originally granted or recognised by a competent authority as Surv Inam, but is found included in all authentic accounts, towards the close of the late Government, among lands subject to full assessment as Khalsat, or to a partial assessment, which was looked upon by the Sirkar as part of the authorised revenue of the district. In this case, though it cannot be discovered when, or by whose order, the assessment was imposed, it is evident that it was approved of by competent authority, and ought to be continued, which it would be under this Provision.

15. *Rule II. of Article II.*—The several sections of this Rule are composed of Rules 1, 2, and 3 of the second division of the Rules of 1842, slightly modified. The word "undisputedly" is introduced, because "undisputed" possession is made a condition by the Honorable Court of Directors in paragraph 42 of their despatch No. 18, dated 29th September 1840, when sanctioning the principles of the Rules in question. The word "authorised"

is retained because it appears in the original Rules sanctioned by the Court at the same time, and because the *only relaxation intended* in the original Rules, by the substitution of those of 1842, avowedly was the mere alteration of the term of one hundred years and three descents to that of sixty years and two descents. The words " before the introduction of our Government" are retained for the *same reason*, and because the principle they uphold has been elsewhere insisted on, as appears from paragraph 7 of the letter from the Bombay Government to the Government of India, No. 3667, dated 19th December 1889, and a letter No. 928 of 1841 from Government to the Collector of Khandeish. The words " at least" are added because they were inserted in the Honorable Court's despatch No. 18 of 1840, above quoted, apparently as one of the conditions on which the Rule of one hundred years and three lives, which had been proposed to them by the Bombay Government, was to be relaxed.

16. *Provision* 1 *of Rule II. of Article II.*—This Provision is proposed to prevent such unauthentic holdings as are admitted only in district accounts not passed at the Hoozoor, from being necessarily excluded from the benefits of Rule II. Of course if a village, &c. be specifically mentioned in the Hoozoor accounts as Khalsat or resumed, or if those accounts contain general entries showing that it was regarded by Government as Khalsat subsequent to its alledged grant as Inam, its admission as Inam in the unpassed accounts of a Mamlutdar cannot be looked upon either as authorised or undisputed. But *otherwise* this provision will enable prescriptive enjoyment to be reckoned on the duration of an Inam existing by the sufferance of a mere subordinate officer.

17. *Provision* 2 *of Rule II. of Article II.*—This Provision is proposed to carry out the principle recognised by Government in the Revenue Secretary's letter No. 3753, dated 31st July 1845.

18. *Provision* 3 *of Rule II. of Article II.*—This Provision is now first proposed, as I cannot find any explicit declaration of Government on the subject to which it relates.

19. *Rule III. of Article II.*—This Rule is an adaptation of Rule IV. of the second division of the Rules of 1842.

20. *Provision* 1 *of Rule III. of Article II.*—This Provision is made in conformity with the Government letter No. 3329 of 1844, paragraph 3.

21. *Provision* 2 *of Rule III. of Article II.*—This Provision is founded on the same 3rd paragraph of the Government letter No. 3329 of 1844, and is, at all events, requisite and just.

22. *Rule I. of Article III.*—This Rule corresponds with Rule II. of the first division of the Rules of 1842.

23. *Provision* 5 *of Rule I. of Article III.*—The extension in Dewusthan and similar holdings of the advantages of full prescriptive enjoyment, from occupation of sixty years, and at least two descents, to occupation for forty years, irrespective of the number of descents, is proposed on the principle that

the limitation of *future* continuance for a certain number of years or descents is inapplicable to *such holdings*, and if there be reason for continuing them at all (except as an indulgence to present incumbents), they should be altogether permanent. This principle has been admitted by Government in several decisions on Dewusthan Inams in Talooka Nowlgoond, though it is more liberal than that proposed in paragraph 6 of the Inam Committee's Report No. 77, dated 12th December 1844, on the Dewusthans of old Hooblee, approved of by Government in a letter No. 1553, dated 8th April 1845.

24. *Provision* 6 *of Rule I. of Article III.*—This Provision is in conformity with the principle laid down by the Government letter No. 3753 of 1845.

25. *Provision* 7 *of Rule I. of Article III.*—This Provision is added to enforce the principle laid down by the Government letters Nos. 1250 and 1258, both dated 17th April 1843.

26. *Provision* 8 *of Rule I. of Article III.*—The indulgence proposed in this Provision was suggested by the Inam Committee's Report No. 77, dated 12th December 1844, paragraph 10, and approved of by the Government letter No. 1553, dated 8th April 1845.

27. *Rule II. of Article III.*—This Rule is an extension and explanation of Rule III. of the first division of the Government Rules of 1842.

28. *Provision* 7 *of Rule II. of Article III.*—This Provision is comprised in Rule III. of the first division of the Government Rules of 1842, where it seems somewhat out of place as part of the Rule. In conjunction with Provision 5 of this Rule, it will prevent merely prescriptive Inams from being recognised as official ones, unless they have been held as such from the *earliest* period to which forthcoming evidence goes back: *e. g.* an Inam held as "Gram Joshee's Inam" for an unknown period, and through an unknown number of descents, shall be continued as official Inam if there are no records of time when it was not so held; but if held even through more than sixty years and two descents before the introduction of the present Government as "Gram Joshee's Inam" it shall nevertheless be reckoned only a personal Inam if there be records of still older date which show that it was not originally an official holding. This of course will not necessarily occasion its resumption, as it will still be permanently continuable under Section I. of Rule II. of Article II.

29. *Rule I. of Article IV.*—This corresponds with the Rule contained in the third division of the Government Rules of 1842.

30. *Provision* 1 *of Rule I. of Article IV.*—This Provision is added to secure to the widows of authentic or recognised Inamdars the right conceded to them by the Government letters No. 850, dated 9th March 1839, and No. 3238, dated 10th November 1842, forwarding an extract from a letter from the Honorable Court of Directors, No. 9 of 1841.

31. *Rule I. of Article V.*—This Rule is desirable to prevent any idea arising that the tenures to which it relates are affected by this Code, which applies to tenures free of service or considerations of political expediency.

32. *Article VI. of Rule I.*—This Rule is proposed to prevent an inevitable

finality in the Rules, which might be fraught with hardship to claimants under peculiar circumstances, such as those contemplated in the 5th paragraph of your letter No. 8729 of 1850, as possible in newly acquired territory, &c. and further to reserve to Government the right of declaring what they intended by these Rules, in case the meaning of them may be questioned.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Belgaum, 1st January 1851.

No. 3260 OF 1851.

TERRITORIAL DEPARTMENT, REVENUE.

From H. E. GOLDSMID, Esq.,
Secretary to the Government of Bombay,

To F. J. HALLIDAY, Esq.,
Secretary to the Government of India.

SIR,—I have been directed by the Right Honorable the Governor in Council to forward to you copy of a letter which I addressed Mr. Hart, the Inam Commissioner, on receipt of your letter of 11th October last, No. 606, and of that officer's reply dated 30th December last, No. 3021.

2. The accompaniments to that letter were carefully considered by the Members of this Government, and altered by Mr. Hart so as to give effect to the views expressed in their Minutes of Council, which were placed before him for the purpose on his visiting Bombay.

3. They were then forwarded to the Legal Remembrancer, for the correction of any errors or indistinctness in the wording. A few amendments of the draft Act were made by that officer, but he saw no occasion to alter the Rules. Copies of the two papers (draft Act and Rules) as received back from him are herewith forwarded.

4. In paragraph 3* of your letter of 11th October last, an opinion has been expressed as to the expediency of completing the investigation into, and settlement of Inams at an early date, and His Lordship in Council therefore trusts that a consideration of the reasons given in paragraph 3 of the accom-

* "3. In paragraphs 45 and 46 of their present letter, the Government of India refer to the request of this Government that the draft Act submitted to them might be passed into law. With a view to prevent litigation and consequent excitement, His Lordship in Council is of opinion that the law should be passed before the Commissioners commence their settlements in other Collectorates than those now subjected to your inquiries, and until it is passed he will not gazette your appointment as Chief Commissioner."

panying letter to Mr. Hart will induce the Government of India to pass the draft Act into law at a very early date.

I have the honour to be, &c.

(Signed) H. E. GOLDSMID,
Secretary to Government.

Bombay Castle, 22nd March 1851.

No. 386.

HOME DEPARTMENT, LEGISLATIVE.

From A. R. YOUNG, Esq.,
Under-Secretary to the Government of India,

To J. G. LUMSDEN, Esq.,
Secretary to Government, Bombay.

Dated the 20th June 1851.

SIR,—With reference to previous correspondence on the subject, I am directed to forward, for submission to the Right Honorable the Governor in Council, the accompanying draft of a proposed Act "for adjudication of titles to certain estates claimed to be rent-free in the Presidency of Bombay," and to request that His Lordship in Council will favour the Supreme Government with any observations or suggestions on its provisions which may appear to be necessary.

I have the honour to be, &c.

(Signed) A. R. YOUNG,
Under-Secretary to the Government of India.

Fort William, the 20th June 1851.

No. 7096 OF 1851.

TERRITORIAL DEPARTMENT, REVENUE.

To W. HART, Esq.,
Inam Commissioner.

SIR,—With reference to your letter No. 3021, dated the 30th December 1850, I have been directed to transmit, for any observations you may have to offer, the accompanying draft Act received from the Government of India, (with red ink alterations as it stood when submitted to the Supreme Government,) relative to the adjudication of claims to estates claimed as Inam in certain districts of the Bombay Presidency, in which claims against Government on account of such estates are not cognisable by the civil courts.

2. You will be pleased to favour Government with an early reply, returning the draft Act therewith.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary to Government.

Bombay Castle, 9th July 1851.

No. 3237.

To A. MALET, Esq.,
Chief Secretary to Government, Bombay.

SIR,—In obedience to the orders conveyed in your letter No. 7096, dated 9th current, I have the honour to return to you the printed draft Act which accompanied it, with the following observations.

2. The alterations introduced into the wording of the Act as now printed are for the most part evident improvements; but the following questions strike me as requiring the consideration of Government:—

1*st.*—In the title, should not the word "the" be inserted before "adjudication," and the words "wholly or partially" before "rent-free"?

2*nd.*—In Section IV., should not the Rules in Schedule B, instead of being annexed as a Schedule to the Act, be kept separate, as at first intended by Government, for the reasons recited in paragraph 5 of the Government letter No. 8729, dated 28th November 1850?

3*rd.*—In that same Section IV., if it should be determined that the Rules must be attached as a Schedule, would it not be well to expunge the Clause commencing "but the Governor" &c.?—for it seems objectionable to *presuppose* that the Rules of an enactment about to be passed may be "unjust," and the power of relaxing any of the Rules in favour of claimants on whom they might operate *harshly* is already provided for by Rule II. of Schedule B to the Act as now printed, corresponding with Article VI. of the Rules approved by Government on the 16th March 1851. This rule is, in fact, more comprehensive than the one I propose to expunge, which would seem to restrict the interference of Government to cases where the opinion of the Inam Commissioner coincides with theirs; whereas the other provides for that opinion being over-ruled when requisite. The whole of Section IV. which follows the word "Act," therefore, seems to me unnecessary, as well as liable to positive objection, even if the Rules for the adjudication of titles should be now published as proposed; the propriety of which publication is, in my humble opinion, more than questionable.

4*th.*—In Section VI., would it not be better to restore the last clause of this Section, as it originally stood in the draft submitted to the Government of India, declaring that punishment under this Section shall

not preclude any other prosecution under the general Regulations to which the misconduct of the offender may have subjected him?—otherwise it may so happen, that if a person sustains a civil injury by such misconduct, he will be precluded from obtaining redress by a civil suit. This may seem a very wild hypothesis on my part; but if the Bombay Sudder Adawlut had grounds, on the 21st March 1839, for interpreting that "damages arising from 'conspiracy' cannot by the Regulations form the subject of litigation in a civil court," merely because "conspiracy," which first became a *specific* crime by Regulation XVII. of 1828, was not mentioned as such in the 2nd Clause of Section II. of Regulation XIV. of 1827, there will be equal grounds for the same Court to decide that damages arising from the misconduct of an Inam Commission officer cannot form the subject of a civil suit, because his existence was not provided for by any of the clauses of the same Regulation of 1827. Finally, with regard to the clause omitted, it has, I believe, been found to work satisfactorily in Bombay Regulation II. of 1827, Section XXXVI. Clause 3rd, and in Regulation XII. of 1827, Section VIII., where it is inserted in the same terms, as well as in Regulation XVI. of 1827, Section XI. Clause 5th, where its spirit has been upheld, so far as relates to the recovery of presents or bribes by civil suit.

5th.—In Section VII., should not the last clause of this Section be restored, as at first proposed? The same clause, or one to the same effect, was first proposed to Government, but being by Government considered unnecessary, was left out of the draft referred to the Remembrancer for Legal Affairs. That officer, however, was of opinion that it should be in effect restored, and he inserted in his revision of the draft the clause now again left out of the printed draft. I think that it may be required, to prevent the acts of Collectors, &c. done in executing decisions passed under the proposed enactment from being either directly or *indirectly* set aside by civil courts. The provisions of Act XVIII. of 1850 will not, I fear, fulfil what is here required, as they seem to have been intended only for the protection of officers in a judicial capacity, and others executing their warrants, by giving them immunity from personal suit. I think that Government will find this explained in the Legal Remembrancer's letter, of which I have not a copy.

6th.—In this same Section VII., "such provision" should be "such provisions."

3. With respect to Schedule B, I shall submit my observations with reference to its Rules as they are there numbered,—

1*st.*—In Rule III., should not the phrase "of a grandson or male heir of the body of a grandson of the original grantee" be altered to "of a grandson in male descent or male heir of the body of such grandson of the original grantee"?—otherwise, should the grandson in possession at the introduction of the present Government be a *daughter's son*, the effect of the

Rule will be to transfer the prescriptive title recognised by it from the family of the grantee to that of his daughter's husband, or to prevent Government from resuming an estate which has fairly lapsed in default of male heirs.

2*nd*.—In Rule V. Provision 1, the phrases by "the Collector" and "Collectorate" are incorrect: what Government meant by "at the Hoozoor" and "in the Hoozoor accounts" was the Hoozoor of the *Government*. If the Native word "Hoozoor" seems objectionable, would it not be well to alter the wording of the sentence of this Provision in which the words occur as follows:—

> "The mere entry of the holding as continued in the genuine accounts of the district officers (even in those not audited and passed by the Government of the time being) will be sufficient to bring it under the heads of 'undisputed' and 'authorised,' *so far as regards the purposes of this Rule*; provided only that there are no entries in the Government accounts which show &c."

3*rd*.—In Rule VII. Provision 4, also, the error last noticed recurs. In this Provision, therefore, the words "not passed by the Collector" should, in like manner, be altered to "not passed by the Government of the time being," and the phrase "the Collectorate accounts" to "the Government accounts."

4*th*.—In Rule VIII. Provision 5 "Nargowdass" should be "Nargowdas."

4. There do not seem to be any other points requiring observations from me.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Belgaum, 18*th July* 1851.

No. 7771 OF 1851.

TERRITORIAL DEPARTMENT, REVENUE.

To W. HART, Esq.,
Inam Commissioner.

SIR,—I have been directed to acknowledge the receipt of your letter No. 3237, dated 18th instant, and to inform you that the Right Honorable the Governor in Council fully concurs in the suggestions therein made, giving the preference to that in question 2nd paragraph 2 over that in question 3rd of same paragraph.

2. His Lordship in Council has also directed me to forward to you herewith another copy of the draft Act as received from Calcutta, and to request you will have the goodness to alter it in red ink so as to give effect to your suggestions as now adopted by Government.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary to Government.

Bombay Castle, 29*th July* 1851.

No. 9.

To A. MALET, Esq.,

Chief Secretary to Government, Bombay.

SIR,—In obedience to the instructions contained in your letter No. 7771 of 1851, dated 29th ultimo, I have the honour to return the accompanying copy of the draft Act with alterations in red ink, as required.

2. In altering Section IV., I have crossed with *double* lines, and enclosed in brackets, that part of it which should be omitted, even if Schedule B were retained. If, as Government have seen the propriety of doing, the Rules be for the present allowed to remain unpublished, the whole of the words crossed (whether with a double or single line) will be replaced by the words written in the margin with red ink.

3. I have, as directed, proposed the omission of the whole of Schedule B.

4. At the same time, I have inserted in the Rules now contained in it the corrections Government considers them to require, in order that the same may be embodied in the Code promulgated under Section IV. as now altered.

I have the honour to be, &c.

(Signed) W. HART,
Inam Commissioner.

Belgaum, 5th August 1851.

No. 8393 OF 1851.

TERRITORIAL DEPARTMENT, REVENUE.

From A. MALET, Esq.,

Chief Secretary to the Government of Bombay,

To F. J. HALLIDAY, Esq.,

Secretary to the Government of India.

SIR,—With reference to Mr. Under-Secretary Young's letter dated the 20th June last, No. 386, I have been directed by the Right Honorable the Governor in Council to forward to you, for the information of the Honorable the President in Council, copies of the letters noted in the margin from Mr. Hart, the Inam Commissioner, together with the amended draft Act "for adjudication of titles to certain estates claimed to be rent-free in the Presidency of Bombay," and to request that you will move the Government of India to pass the amended draft into law.

Letter from Mr. Hart, Inam Commissioner, No. 3237, dated 18th July 1851.
From ditto, No. 9, dated 5th instant, with accompaniment.

I have the honour to be, &c.

(Signed) A. MALET,
Chief Secretary to Government.

Bombay Castle, 20th August 1851.

ACT No. XI. OF 1852.

Passed by the Governor General of India in Council on the 13th February 1852.

An Act for the Adjudication of Titles to certain Estates claimed to be wholly or partially Rent-free in the Presidency of Bombay.

WHEREAS in the territories of the Deccan, Khandeish, and Southern Mahratta Country, and in other Districts more recently annexed to the Bombay Presidency, claims against Government on account of Inams and other Estates wholly or partially exempt from payment of Land Revenue are excepted from the cognisance of the ordinary Civil Courts, and incapable of being justly disposed of under the Rules for the determination of Titles, and the Rules of Procedure contained in Chapters IX. and X. of Regulation XVII. of 1827 of the Bombay Code and their Supplements; and whereas it is desirable that the said claim should be tried and determined without further delay; It is declared and enacted as follows:—

I. The Rules in Chapters IX. and X. of Regulation XVII. of 1827, and Clause 1 of Regulation VI. of 1833 of the Bombay Code, do not apply to any of the Districts of the Bombay Presidency which were not brought under the General Regulations of Government by Regulation XXVIII. of 1817 of the Bombay Code; and no order hitherto passed regarding the continuance or resumption of lands in any of the said Districts held or claimed from Government as wholly or partially free of assessment shall be liable to be questioned in any Court of Law, on the grounds of any interpretation or construction of the Law which may be inconsistent with the declaration made and the Rules prescribed by this enactment.

II. The Governor of Bombay in Council may appoint in any Zilla or other division of the territories subject to the Presidency of Bombay, which were not brought under the General Regulations of Government by the said Regulation XXVIII. of 1827, an Inam Commissioner with so many Assistants, and such subordinate establishment as may be necessary for the purposes hereinafter mentioned.

III. The duties of each Inam Commissioner and his Assistants shall be discharged according to the Rules in Schedule A, annexed to this Act.

IV. In the adjudication of claims to exempt lands or interests therein,

the titles of claimants shall be determined by the Rules in Schedule B, annexed to this Act.

V. Each Inam Commissioner and his Assistants shall have the same authority to procure the attendance of witnesses, and to take evidence, as now is, or from time to time may be, by Law vested in the ordinary Civil Courts; and so far as concerns the penalties for not giving evidence, for false testimony, for resistance of process, contempts, and other like matters connected with cases under cognisance by any one of the said Officers, his Office shall be held to be a Court of Civil Jurisdiction of the same authority as the superior Civil Court of the Zilla or District in which his Office from time to time shall be established. Provided that all complaints against, or appeals from, the proceedings of the Inam Commissioner or any of his Assistants, in exercise of the authority conferred on them respectively by this Section, shall be made under the second Rule of Schedule A, annexed to this Act, and shall not be cognisable by any other authority, or in any other manner than as therein specified.

VI. Bribery, extortion, and generally all acts of abuse, or misapplication of authority, or other misconduct, committed by any Officer belonging to the Establishment of the Inam Commission, or temporarily employed therein under the provisions of this enactment, shall be punishable as criminal offences, with fine and ordinary imprisonment without labour for a period not exceeding five years; and the receipt of a present directly or indirectly, by any such Officer, from any person against whom or in whose behalf he may be officially employed, shall be considered extortion. And no penalty or punishment adjudicated under this Clause shall preclude any other Civil prosecution to which the offender may be liable.

VII. No decision or order of the Inam Commissioner, or of any of his Assistants, or of the Governor in Council, under the provisions of this enactment, so long as the same shall be in force under such provisions, shall be questioned or avoided in any Court of Law; and no Commissioner, or Assistant Commissioner, or other person acting under the provisions of this Act, shall be liable to be sued in any Civil Court for any act *bonâ fide* done or ordered to be done by him in pursuance of the said provisions.

SCHEDULE A.

Rules for defining the Duties of each Inam Commissioner and his Assistants.

1. The duty of the Inam Commissioner and his Assistants shall be to investigate, in the manner prescribed by this enactment, the titles of persons holding or claiming against Government the possession or enjoyment of Inams or Jagheers, or any interest therein, or claiming exemption from the payment of Land Revenue, and generally to act according to the instructions of Government in all matters not specifically provided for in this enactment.

2. All orders of the Assistant Commissioners shall be appealable to the Inam Commissioner, who shall also have the authority of revising and of modifying, reversing or annulling, if necessary, their orders and proceedings; and the orders and proceedings of the Inam Commissioner shall be in like manner appealable to and subject to modification, reversal, or annulment by the Governor of Bombay in Council, whose orders shall in every case be final.

3. The Inam Commissioner or his Assistants shall receive, from the persons holding or claiming to hold lands or any interest therein exempt from the payment of Revenue, statements explaining the nature of the title by which the lands and interest are so held, and shall take and record the evidence offered in support of such statements.

4. These statements may be received, either directly by the Officers of the Inam Commission, or through the medium of the Revenue Authority of the Talooka in which the land or interest so held or claimed as exempt is situated, or in which the alleged proprietor resides, without any previous procedure, except a general invitation to such landholders of a District who shall hold or claim to hold lands exempt as aforesaid to state the nature of their titles.

5. But when such general invitation is not sufficiently attended to, a notice may be issued to any party holding or claiming to hold any lands or any interest therein wholly or partially exempt as aforesaid, requiring him personally, or by his Agent, to show his title. The notice issued in such cases shall state the nature of the investigation which is intended, and shall call upon the alleged proprietor of the exempt lands, or interest held or claimed to be held exempt as aforesaid, to attend either personally or by an authorised Agent, at a specified place and within a specified period, (which shall never be less than two months from the date of the notice being served,) to explain the nature of his title to hold such lands or interest exempt as aforesaid, and to produce all the evidence forthcoming to prove it. The notice shall further explain that a failure to comply with its terms will render the land or interest to which it relates liable to attachment.

6. The notice shall be served upon the party holding or claiming to hold the land or interest exempt as aforesaid, or, if his place of residence be not known, upon the person acting for him, or, in default of such, upon the person in charge of the land or interest.

7. If such persons cannot be found, a notice shall be posted in the Office of the Native Revenue Officer of the District, and in the Chowree, or most public place of the village, where the land or interest under inquiry is situated, calling on any person who may claim as proprietor to appear, either personally or by his Agent, to prove his title within six months from the date of the notice, under penalty of the attachment of the land or interest, and on failure of the appearance of a claimant the land or interest shall be liable to attachment.

8. The attachment provided for by Rules 5 and 7 shall be enforced by the Collector or Chief Revenue Authority of the District in which the land to

which it relates is situated, at the written requisition of the Inam Commissioner or his Assistant, which shall be a sufficient warrant to the Collector for the attachment of the land, and for the collection of the rents accruing therefrom on account of Government during its attachment.

9. As soon as possible after the receipt of the statements in each District, and of the evidence by which they are supported, they shall be tested by the entries in the Government Accounts and State Records, and by any other evidence procurable, whether in favour of Government or of the claimants, and decisions shall then be passed on them as to the continuance, resumption, or full or partial assessment of the lands.

10. In cases where the notices provided for in Sections V. and VII. fail to procure the attendance of the persons to whom they are addressed, and no claimant appears to prosecute his claim, the Commissioner or Assistant Commissioner shall proceed to ascertain the facts of the case from such evidence as may be forthcoming or procurable, and shall pronounce such decision thereupon as to him shall seem just regarding the lands or interests to which the notices referred.

11. An attachment enforced under Rule 8 shall be removed by the Collector or Chief Revenue Authority by whom it was made, on receipt of a communication from the Inam Commissioner or his Assistant, certifying that he considers the attachment to be no longer necessary; but the rents collected from the land during its attachment shall in no case be restored to the alleged proprietor, except under the general or special instructions of Government.

12. Certified copies of decisions made according to the provisions of Rule 9 shall be delivered as soon as possible after each decision is passed, to the persons on whose claims the decision shall have been pronounced, or their agents; and copies of all decisions made in the absence of any claimant, according to the provisions of Rule 10, shall be sent to the Mamlutdar, or other Revenue manager of the Talooka in which the lands to which they relate are situated, who shall deliver them to the parties affected by them, should they be discoverable, or otherwise cause them to be publicly posted in the village to which the lands in question belong.

13. Decisions affecting any lands, or any interests therein, passed under this enactment, shall be carried into execution by the Collector or Chief Revenue Authority of the District in which the lands to which they relate are situated, at the requisition of the Inam Commissioner or his Assistant, in any manner which may, from time to time, be prescribed by the Governor of Bombay in Council.

14. In all cases where a person may be desirous of appealing against any decision of the Inam Commissioner or his Assistants, he shall apply by a petition, addressed to the Authority by whom, according to Rule 2, his appeal is cognisable, which petition shall be presented to such authority within one hundred days from the date of the decree appealed against, a copy of which must accompany the petition of appeal; and no appeal which is not so made

shall be admitted without proof of the existence of a just and necessary cause for its not having been preferred in due time; and it is hereby provided, that no decree passed by the Inam Commissioner or any of his Assistants shall be liable to be set aside for want of form in the proceedings, but only for matters affecting the justice of the decision.

SCHEDULE B.

Rules for the adjudication of Titles to Estates claimed as Inam, or exempt from payment of Land Revenue.

1. All lands held under specific and absolute declaration by the British Government, or any competent Officer acting under it, that they were to be continued hereditarily or in perpetuity exempt, wholly or partially, from the payment of Revenue, are to be so continued according to the purport of such declaration.

Regarding Inams already declared permanent by competent authority since the introduction of the present Government.

Provision 1*st.*—If any question shall arise as to the competency of the Officer to make or give such declaration as aforesaid, the Commissioner or Assistant Commissioner is to suspend his judgment, and report the circumstances of the case to the Governor of Bombay in Council, to whom a power is hereby reserved of determining finally whether such Officer was competent to make or give such declaration, and the Commissioner or Assistant Commissioner, upon receiving the determination of the said Governor in Council, shall decide accordingly.

2. Any land held under a Sunud declaring it to be hereditary shall be so continued according to the terms of the Sunud.

Regarding claims to personal Inams not yet adjudicated under the present Government.

Provision 1*st.*—Provided that the grant was either made, or specifically recognised, by authority competent to alienate Government Revenue in perpetuity, the question of which recognition and competency is to be referred to and determined by Government in the manner prescribed by Provision 1st, Rule 1.

Provision 2*nd.*—And provided that there be nothing in the conditions of the tenure which cannot be observed without a breach of the laws of the land, or the rules of public decency.

Provision 3*rd.*—And provided that the grant was not afterwards revoked or disallowed, or an alteration of its terms ordered or recognised by a competent authority.

3. All lands uninterruptedly held as wholly or partially exempt from assessment for a period of sixty years before the introduction of the British Government, and then in the authorised possession of a grandson in male descent, or male heir of the body of such grandson of the original grantee, shall continue to be so held so long as there shall be in existence any male heir of the body

of the person who was incumbent at the introduction of the British Government, tracing his lineage from such incumbent through male heirs only.

4. All lands, uninterruptedly held as wholly or partially exempt from assessment for a period of forty years before the introduction of the British Government, and then in the authorised possession of a son, or male heir of the body of a son of the original grantee, are to be continued for one succession further than that of the person who was incumbent at the introduction of the British Government, that is, until the death of his last surviving son.

Provision 1*st*.—The authorised possession contemplated by Rules 3 and 4 does not involve the necessity of proving any specific authority from, or recognition by, the Government or Paramount Power. The mere entry of the holding as continued in the genuine accounts of the District Officers (even in those not audited and passed by the Government of the time being) will be sufficient to bring it under the heads of "uninterrupted" and "authorised," so far as regards the purposes of this Rule; provided only that there are no entries in the Collectorate accounts, which show that the holding of such lands exempt as aforesaid must have been unauthorised by the Government or Paramount Power.

Provision 2*nd*.—If there be not evidence forthcoming to disprove a claimant's assertion that his holding has been undisputedly enjoyed for the number of years and descents requisite to fulfil the conditions of Rules 3 and 4 respectively, his prescriptive right shall be admitted.

Provision 3*rd*.—The introduction of the British Government is to be reckoned from the time the East India Company became the Government or Paramount Authority over each District as regards its Inams. In the Territories ceded by or conquered from the Peshwa, therefore, whether Khalsat Mahals or Surinjams, &c. held exclusive of Inams, &c., the introduction of the British Government will date from the close of that of the Peshwa. But in case of the lapse of an independent principality, or of a Jagheer more ancient than the Peshwa's Government, and over the Inams of which he did not claim any authority, the introduction of the British Government should be reckoned only from the date at which the general management of the Districts may have come into the hands of the Company; and in case any question shall arise as to the precise date when the East India Company became the Government over any district, or when the general management of any District came into their hands, such question shall be referred to and determined by Government in the manner prescribed by Provision 1st, Rule 1.

6. Land held as wholly exempt from payment of Revenue, or on partial assessment, the possession of which is not continuable under the preceding Rules, is to be resumed on the demise of the incumbent.

Provision 1*st*.—In case the incumbent at the time of the introduction of the British Government may have died, the permission to hold for life is to be extended to the person in whose name the land may be continued when the investigation is commenced, if there be no fraud apparent, nor other reason for withholding this indulgence.

Provision 2nd.—When land is evidently held by fraud recently committed (as when an Inam which was resumed under the late Government has been re-occupied under the present Government without authority, or as when a pretended Inam is found to have originated since the introduction of this Government with the connivance of District or Village Officers) it shall be at once resumed, not being continuable under this or any of the preceding Rules.

7. All lands held for the support of Mosques, Temples, or similar Institutions, of the permanent character of which there can be no doubt, are to be continued permanently even though their permanent continuance may not have been expressly provided for when they were granted.

Regarding claims to Inams apparently permanent by the nature of the objects for which they are held, and not merely personal.

Provisions 1st, 2nd, and 3rd.—The same as the corresponding Provisions of Rule 2 of this Schedule in those cases in which Title-Deeds, or other Records proving the circumstances of the original grant, or its specific recognition by competent authority, are forthcoming.

Provision 4th.—When there is no proof forthcoming to show whether or not an Inam coming under the Provisions of this Rule was granted, or even specifically recognised by a competent authority, still, if it has been undisputedly enjoyed for a period of forty years before the introduction of the present Government, it shall be permanently continued, and enjoyment proved by the mere entry of the Inam, as continued in genuine accounts of the District Officers, (even in those not passed by the Government of the time being,) is to be considered sufficiently "uninterrupted" to give an Inam the benefit of this provision, if there be no entries in the Government accounts which show that it must have been unauthorised by them.

Provision 5th.—If the forthcoming records do not go far enough back to test the existence of enjoyment of the duration contemplated in Provision 4th as establishing full prescriptive title in such Inams, still, if so far as they do go they are not opposed to the claimant's assertion that sufficient enjoyment has taken place, the prescriptive title of the Inam shall be admitted according to his assertions, unless there be other evidence forthcoming to disprove them.

Provision 6th.—The peculiar advantages of this Rule shall not apply to the holdings of individuals in their own names for the performance of ceremonial worship, claims to which must be decided under the Rules for personal claims.

Provision 7th.—When claims of the denomination coming under this Rule are found to be unsupported by proof of original valid title, and are proved void of sufficient prescriptive enjoyment, they are to be adjudicated according to Rule 6.

8. All lands authorisedly held by an official tenure, which it is evident from local usage was meant to be hereditary, and has been so considered heretofore, even though there be no Sunuds declaring it to be so—for instance, Inams which form the authorised emoluments of any hereditary office, as of Kazees, Village Joshees, &c., and are not merely personal,—are to be continued permanently.

Provisions 1st, 2nd, and 3rd.—The same as the corresponding Provisions of Rule 2 of this Schedule, in those cases in which Title-Deeds or other Records, proving the circumstances of the original grant, or its specific recognition by competent authority, are forthcoming.

Provision 4th.—When there is no proof forthcoming to show whether or not an Inam, coming under the Provisions of this Rule, was granted, or even specifically recognised by competent authority, still if it has been undisputedly enjoyed as an official and not merely personal holding from the earliest period to which the forthcoming evidence does relate, it shall be continued permanently as official emolument, unless the claimant's own statement renders this course improper.

Provision 5th.—The provisions of this Rule are not in any way to apply to emoluments continued for service performed to the State, as the Service Wutuns of Desaees, Surdesaees, Nargowdas, Deshpandeys, Patells, Koolkurnees, Mhars, Tulwars, whose claims are to be disposed of according to the Rules which are or may be established for the regulation of such holdings.

Provision 6th.—It is to be understood that mere length of enjoyment of land as Inam by an official person is not of itself sufficient to entitle a claim to be brought under this Rule.

Provision 7th.—If a holding, claimed under this Rule, be found incapable of permanent continuance under it, the claimant shall be allowed the advantages of any of the preceding Rules of this Schedule which may be applicable to his case.

Regarding Provision for the Widows of the last Incumbents of resumed Holdings.

9. On the resumption of any lands under the Rules of this Schedule, a moiety or other portion may be continued to the widows of the last incumbents during their lives, in cases of proved poverty and destitution.

Provision 1st.—In the case of a holding which is recognisable as an hereditary personal Inam, the widow of a proprietor who dies without surviving male issue, or other heirs to whom his Inam will of necessity descend, is by right his sole heir, and during her life the Inam cannot be regarded as having lapsed to Government: it should, therefore, in such a case, be continued undiminished during the widow's life.

Regarding the exception of certain Tenures from the application of these Rules.

10. These Rules shall not be necessarily applicable to Jagheers, Surinjams, or other tenures for service to Government, or tenures of a political nature, the titles and continuance of which shall be determined as heretofore, under such Rules as Government may find it necessary to issue from time to time.

Regarding the modification and interpretation of these Rules.

11. Any of these Rules may be relaxed in favour of claimants under instructions from the Governor of Bombay in Council, in whom shall also be vested the power of interpreting the precise meaning of any of the Rules respecting which a question may arise.

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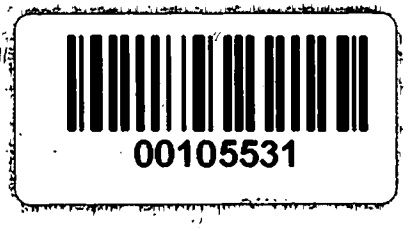
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